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LEGISLATIVE HISTORY

Public Law 705

S. 1871

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INDEX AND SUMMARY OF S. 1871

- May 2, 1955. Sen. Carlson introduced S. 1871 which was referred to the Senate Committee on Post Office and Civil Service. Print of bill as introduced.
- Mar. 6, 1956 Senate committee ordered S. 1871 reported.
- Mar. 13, 1956 Senate committee reported S. 1871 without amendment. Senate Report No. 1651. Print of bill and report.
- Mar. 19, 1956 Senate passed S. 1871 without amendment.
- Mar. 20, 1956 S. 1871 was referred to the House Committee on Post Office and Civil Service. Print of bill as referred.
- May 24, 1956 House subcommittee ordered S. 1871 reported to the full committee.
- June 21, 1956 House committee ordered S. 1871 reported.
- June 25, 1956 House committee reported S. 1871 with amendment. House Report No. 2421. Print of bill and report.
- July 2, 1956 House passed S. 1871 as reported.
- July 9, 1956 Senate concurred in House amendments to S. 1871.
- July 14, 1956 Approved; Public Law 705, 84th Congress.

DIGEST OF PUBLIC LAW 705

PENALTY MAIL FOR EXTENSION DIRECTORS AND EXPERIMENT STATIONS. Amends the Penalty Mail Act so as to provide for reimbursement of the Post Office Department, out of appropriations made for this purpose, for mail of the Extension Directors and the State agricultural experiment stations.

84TH CONGRESS
1ST SESSION

S. 1871

IN THE SENATE OF THE UNITED STATES

MAY 2, 1955

Mr. CARLSON introduced the following bill; which was read twice and referred to the Committee on Post Office and Civil Service

A BILL

To amend the Act entitled "An Act to reimburse the Post Office Department for the transmission of official Government-mail matter", approved August 15, 1953 (67 Stat. 614), and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act entitled "An Act to reimburse the Post Office
4 Department for the transmission of official Government-mail
5 matter", approved August 15, 1953 (67 Stat. 614), is
6 amended by the addition of sections 3 and 4 to read as
7 follows:

8 "SEC. 3. There shall be paid to the Post Office Depart-
9 ment, as postal revenue, out of the respective appropriations

1 or funds available to the departments, agencies, establish-
2 ments, Government corporations, and all other organizations
3 and persons concerned, the equivalent amount of postage or
4 registry fees, as determined pursuant to regulations pre-
5 scribed by the Postmaster General for matter sent in the
6 mails without prepayment of postage, or without prepay-
7 ment of registry fees, by the department, agency, establish-
8 ment, Government corporation, organization, or person con-
9 cerned, for which the Post Office Department otherwise does
10 not receive compensation, under authority of the following
11 laws:

12 “(1) Section 3932 of the Revised Statutes (39 U. S.
13 C. 385) ;

14 “(2) That part of section 3 of the Act entitled ‘An Act
15 making appropriations for the service of the Post Office
16 Department for the fiscal year ending June 30, 1885, and
17 for other purposes’, approved July 5, 1884 (23 Stat. 158),
18 as amended by section 2 of the Act entitled ‘An Act author-
19 izing the Postmaster General to establish a uniform system of
20 registration of mail matter, and for other purposes’, approved
21 May 1, 1928 (45 Stat. 469), and codified in section 321a
22 of title 39, United States Code;

23 “(3) Section 10 of title 13, United States Code (sec.
24 1, ch. 1158, 68 Stat. 1012, 1014) ;

25 “(4) The first and second provisos of section 306 of title

1 III of the Act entitled ‘An Act making appropriations to
2 supply deficiencies in certain appropriations for the fiscal
3 year ending June 30, 1948, and for other purposes’,
4 approved June 25, 1948 (62 Stat. 1049; 39 U. S. C. 321n) ;
5 and

6 “(5) Section 345 of the Act entitled ‘An Act to revise
7 the laws relating to immigration, naturalization, and nation-
8 ality; and for other purposes’, approved June 27, 1952
9 (66 Stat. 266; 8 U. S. C. 1456) .

10 “Such payments shall be regarded as a necessary ex-
11 pense of the respective appropriations and activities.

12 “SEC. 4. There shall be paid to the Post Office Depart-
13 ment, as postal revenue, out of appropriations made therefor,
14 to the Department of Agriculture, the equivalent amount of
15 postage, as determined pursuant to regulations prescribed by
16 the Postmaster General for matter sent in the mails without
17 prepayment of postage pursuant to the following laws:

18 “(1) Section 4 of the Act entitled ‘An Act to establish
19 agricultural experiment stations in connection with the col-
20 leges established in the several States under the provisions
21 of an Act approved July second, eighteen hundred and sixty-
22 two, and of the acts supplementary thereto’, approved March
23 2, 1887 (24 Stat. 441; 7 U. S. C. 365) ;

24 “(2) Section 3 of the Act entitled ‘An Act to apply a
25 portion of the proceeds of the public lands to the more

1 complete endowment and support of the colleges for the
2 benefit of agriculture and the mechanic arts established under
3 the provisions of an Act of Congress approved July second,
4 eighteen hundred and sixty-two', approved August 30, 1890
5 (26 Stat. 418; 7 U. S. C. 325) ; and

6 " (3) The proviso in the third paragraph under 'General
7 Expenses, Offices of Experiment Stations' in the Act entitled
8 'An Act making appropriations for the Department of Agri-
9 culture for the fiscal year ending June 30, 1915', approved
10 June 30, 1914 (38 Stat. 438; 39 U. S. C. 330) ."

11 SEC. 2. Section 15 of title 17, United States Code (sec.
12 1, ch. 391, 61 Stat. 652) , is hereby repealed.

13 SEC. 3. Section 306 of title III of the Act of June 25,
14 1948 (62 Stat. 1049; 39 U. S. C. 321n) , is hereby amended
15 by (A) striking out the words "free of postage" wherever
16 they appear therein, and by inserting, in lieu thereof "as
17 penalty mail"; and (B) by striking out all of the second
18 sentence down to and including the words "*Provided, That*",
19 in the first proviso.

20 SEC. 4. This Act shall be effective July 1, 1955,

A. BILL

To amend the Act entitled "An Act to reimburse the Post Office Department for the transmission of official Government-mail matter", approved August 15, 1953 (67 Stat. 614), and for other purposes.

By Mr. CARLSON

MAY 2, 1955

Read twice and referred to the Committee on Post
Office and Civil Service

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued
For actions of

March 7, 1956
March 6, 1956
84th-2nd, No. 39

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HIGHLIGHTS; Senate continued debate on farm bill. Senate passed bill to relieve farmers from excise tax on gasoline. Sen. Humphrey criticized activities of public relations firm relative to this Department. Senate committee reported Treasury-Post Office appropriation bill. House commenced debate on independent offices appropriation bill. Rep. Curtis, Mo., introduced and discussed bill for taxation of co-operatives.

HOUSE

1. APPROPRIATIONS. Commenced debate on H. R. 9739, the independent offices appropriation bill for 1957. Amendments tentatively adopted included an increase of \$5,386,030 for the FCDA disaster relief funds and a deletion of language authorizing eleven supergrade positions in GSA. pp. 3581, 3582
2. BANKING AND CURRENCY. Rep. Patman criticized the undemocratic character of certain aspects of the open-market committee of the Federal Reserve System and inserted the text of his address to the Women's National Democratic Club urging the reconsideration and reorganization of the system. p. 3614
3. DEFENSE PRODUCTION. Both Houses received from the Office of Defense Mobilization a draft of Legislation "to extend the Defense Production Act of 1950"; to the Banking and Currency Committees. pp. 3488, 3618
4. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment S. 1194, to provide for the construction of the Red Willow Dam, Nebr., by the Interior Department, and construction of Wilson Dam, Kans., by the Army Engineers (H. Rept. 1849). p. 3618
5. MONOPOLIES. The Judiciary Committee ordered reported with amendment H. R. 9424, to amend the Clayton Act by requiring prior notification of certain corporate mergers. p. D202

SENATE

6. FARM PROGRAM. Continued debate on S. 3183, the farm bill. pp. 3498, 3509, 3542
Sens. Chavez (for himself and Sen. Kerr), Young (for himself and Sens. Mundt, Carlson, Barrett, and Curtis), Ellender, Barrett (for himself and several other Senators), Hickenlooper (for himself and several other Senators), and Holland submitted amendments intended to be proposed to the bill. p. 3497
Sen. Langer inserted a Farmers' Union resolution opposing any reduction in wheat acreage and favoring 100 percent of parity for family farms, limiting all types of farm program payments to \$5,000 and an increase in personal income tax exemptions to \$1,000. p. 3489
7. FARM TAXES. Passed with Committee amendments H. R. 8780, to relieve farmers from excise taxes on gasoline and special fuels used on the farm. p. 3504
8. INFORMATION. Sen. Humphrey criticized the activities of a public relations firm relative to this Department, and inserted a letter received from the firm and an article on the matter. p. 3540
The Foreign Relations Committee ordered reported with amendments S. 3116, International Cultural Exchange and Fair Trade Participation Act of 1956. p. D200
9. DISASTER INSURANCE. Received a concurrent resolution from the S. Car. Legislature urging enactment of legislation authorizing a flood-insurance program. p. 3489
10. PARITY. Sen. Langer inserted a Local Farmers Union letter favoring 90 percent parity payments. p. 3490
11. WOOL. Sen. Young inserted several resolutions of the N. Dak. Cooperative Wool Marketing Assoc. opposing further freight rate increases, continuance of program to liquidate wool stocks, continuance of 6 percent duty on wool tops from Uruguay, and opposing attempts to reduce tariffs on imported wool and woolen products. p. 3490
12. FORESTRY. Sen. Humphrey inserted a letter received from a Rod and Gun Club favoring the preservation of the wilderness area of Superior National Forest. p. 3491
13. APPROPRIATIONS. The Appropriations Committee reported with amendments H. R. 9064, the Treasury-Post Office appropriation bill, 1957 (S. Rept. 1624). p. 3492
14. ~~PERSONNEL; PENALTY MAIL.~~ Sen. Byrd submitted the report of the Jt. Committee on Reduction of Non-essential Federal Expenditures on Federal employment and pay for the month of January, and inserted several tables and a statement concerning the report. p. 3492
The Post Office and Civil Service Committee ordered reported without amendment the following bills:
H. R. 5856, to repeal requirements for department heads to report to the Postmaster General the number of penalty envelopes and wrappers on hand at the close of the fiscal year;
S. 3237, providing for continuation of life-insurance coverage under the Federal Employees' Group Life Insurance Act of 1954 in the case of employees receiving benefits under the Federal Employees' Compensation Act;
S. 3315, to amend section 5 of the Civil Service Retirement Act of 1930 regarding death benefits; and
S. 1871, to amend the act to reimburse the Post Office Department for the transmission of official Government mail matter. D200
The Committee ordered reported with amendment S. 1542, to authorize an allowance for civilian officers and employees of the Government who are notaries public. D200

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 14, 1956
For actions of March 13, 1956
84th-2nd, No. 44

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HIGHLIGHTS; Senate continued debate on farm bill. Rep. Laird criticized conference delay on school milk and brucellosis measure. Sen. Aiken and 18 other Senators introduced, and Sen. Aiken discussed, bill to improve and simplify credit facilities available to farmers. Sen. Long introduced and discussed bill to establish Federal-State Land Study Commission. Rep. Blitch introduced and discussed bill to provide food-fiber certificates for needy persons.

SENATE

FARM PROGRAM. Continued debate on S. 3183, the farm bill. p. 4061

Agreed to the following amendments:

- By Sen. Carlson, to provide a two-price system for wheat, with domestic parity, by a vote of 54 to 39 (a motion to reconsider the amendment was tabled (pp. 4061-80)).
- By Sen. Clements, to enlarge the commercial wheat area to include all States having allotments in excess of 190,000 acres instead of 240,000 acres, which restores Kentucky and Tennessee to the commercial area (pp. 4092-93).
- By Sen. Clements, to include dark air-cured, fire-cured, and Virginia sun-cured tobaccos in those types of tobacco eligible for participation under the acreage-reserve program (pp. 4093-94).
- By Sen. Butler, to include Maryland tobacco in the acreage reserve program (4094).
- By Sen. Clements, to remove the \$100 per acre limitation on tobacco acreage reserve payments (pp. 4094-95).
- By Sen. Bricker, to permit producers of Ohio cigar filler tobacco types 42, 43, and 44 to participate in the acreage reserve program (p. 4095).

By Sen. Williams, to prohibit the leasing of Government lands for the production of surplus agricultural commodities (other than livestock and livestock products) except on condemned lands, wildlife refuges, of flood-control reservoir lands (pp. 4095-97).

By Sen. Williams, to establish a ceiling of \$7,500 on the amount which may be paid to any one individual in any State for conservation reserve payments (p. 4097).

Rejected an amendment by Sen. Russell, to provide a two-price system for cotton, with domestic parity, by a vote of 33 to 57 (pp. 4080-92).

By unanimous consent, modified the debate limitation agreement on the farm bill so that more than 1 hour may be taken on any amendment or motion (except a motion to lay on the table). p. 4093

Sens. Smith, Schceppel, Humphrey, Clements, and O'Mahoney submitted amendments intended to be proposed to the bill. p. 4031

2. WHEAT. Sen. Young inserted a Chamber of Commerce resolution in support of the amendment to the farm bill providing for price supports of quality wheat at 20% of parity. p. 4016

3. FARM EQUIPMENT. Sen. Langer inserted a citizens resolution urging that Congress investigate the spread between lower labor costs and higher farm equipment prices. p. 4016

4. ~~PERSONNEL~~; PENALTY MAIL. The Post Office and Civil Service Committee reported without amendment the following bills: (p. 4017)

S. 1871, to amend the penalty mail law in several respects, including a provision to extend it to agricultural experiment stations (S. Rept. 1651).

H. R. 5856, to repeal the requirements for departments and agencies to report to the Postmaster General the number of penalty envelopes and wrappers on hand at the close of each fiscal year (S. Rept. 1659). In its report on the bill, the Post Office Department said it has "adequate alternate sources and methods to secure reliable information."

S. 1542, to authorize an allowance for civilian officers and employees of the Government who are notaries public (S. Rept. 1652).

5. MEAT INSPECTION. Sen. Smith inserted a proclamation by the Governor of New Jersey commemorating the 50th anniversary of the enactment of the Federal pure food and drug law. p. 4032

6. FARMERS' UNION. Several Senators discussed, with some criticizing and others defending, the record and activities of the Farmers' Union. p. 4037

7. STORAGE CHARGES. Sen. Humphrey discussed the amounts being paid by this Department for grain storage and handling and inserted two letters, including one from this Department, on the matter. p. 4100

HOUSE

8. SCHOOL MILK; BRUCELLOSIS ERADICATION. Rep. Laird urged immediate conference consideration of, and House agreement to, the Senate amendments to H. R. 8320, to increase funds available for the school milk and brucellosis eradication programs. p. 4109

9. TAXATION. The "Daily Digest" states that the Ways and Means Committee directed the Chairman to disagree to the Senate amendments to H. R. 8780, to provide

PAYMENT OF REGISTRY FEES ON GOVERNMENT
MAIL, ETC.

MARCH 13, 1956.—Ordered to be printed

Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, submitted the following

R E P O R T

[To accompany S. 1871]

The Committee on Post Office and Civil Service, to whom was referred the bill (S. 1871) to provide for the reimbursement of registry fees on the transmission of official Government mail matter, and for other purposes, having considered the same, report favorably thereon, without amendment, and recommend that the bill do pass.

STATEMENT

The purpose of this legislation is to provide for inclusion, in the appropriations reimbursing the Post Office Department for the transmission of official Government mail matter, including mailings by the judicial and executive branches of the Government, with the exception of the mailings made by the Post Office Department, of registry fees on their mailings.

Public Law 286 of the 83d Congress provided for the Post Office Department to be reimbursed for the transmission of official Government mail matter, including mailings by the legislative, judicial, and executive branches of the Government, and contained a specific provision under which the Congress appropriates funds to the postal revenues of the Department to cover the registry fees on matter mailed by the Members of Congress. The Post Office Department interpreted the authority of this law to include reimbursement of registry fees incurred by departments and agencies on their mailings. However, the Comptroller General ruled that the various statutes extending free registration privileges to the departments and agencies of the Government were not affected by this act. As a result, the Post Office Department still renders free registry mail service to the executive and judicial branches of the Government; but not to the legislative branch.

The objective of S. 1871 is to correct omissions in Public Law 286 and require that there will be paid out of the funds available to the departments and agencies concerned, to the Post Office Department, as postal revenues, equivalent amounts of postage or registry fees to cover the postage and registry fees on the mailings of all who have authority to mail under the penalty privilege or to transmit official matter by registered mail without the payment of registry fees or postage.

The Post Office Department in recommending this legislation estimates that it will provide an additional \$2,300,000 in revenue to the Post Office Department and eliminate needless certification procedures now required by the various department heads certifying amounts of penalty mailings.

AGENCY VIEWS

The letter of recommendation from the Postmaster General, with approval of the Bureau of the Budget, follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington 25, D. C., April 11, 1955.

HON. RICHARD M. DIXON,
President of the United States Senate.

DEAR MR. PRESIDENT: There is transmitted herewith, for consideration by the Congress, a draft of proposed legislation to amend the act entitled "An Act to reimburse the Post Office Department for the transmission of official Government-mail matter," approved August 15, 1953 (67 Stat. 614), and for other purposes.

The act of August 15, 1953 (Public Law 286, 83d Cong., 1st sess.), which would be amended by the proposed legislation, was enacted to provide for the Post Office Department to be reimbursed for the transmission of official Government-mail matter, including mailings by the legislative, judicial, and executive branches of the Government, with the exception of the mailings made by the Post Office Department. Section 1 of the act, which relates to mailings by all but Members of Congress, provided for the transfer to the Post Office Department, as postal revenue, "the equivalent amount of postage due therefor, as determined pursuant to regulations prescribed by the Postmaster General."

It was the view of this Department that the language of section 1 of the act required the departments and agencies of the Government to reimburse the Post Office Department for registry fees on their mailings. However, the Comptroller General, in decision No. B-118079, dated February 1, 1954, ruled that the various statutes extending free registration privileges to departments and agencies of the Government were not affected by the act of August 15, 1953. Consequently, the Post Office Department still renders free registered mail services to the executive and judicial branches of the Government.

This result, it is believed, was not intended by the Congress since section 2 of the act of August 15, 1953, contains a specific provision under which the Congress appropriates funds, to the postal revenues of this Department, to cover the registry fees on matter mailed by the Members of Congress.

It also was the view of this Department that section 1 of the act of August 15, 1953, required departments and agencies of the Government to reimburse the Post Office Department for the equivalent amount of postage to cover mailings of all "organizations and persons authorized by law to use the penalty privilege" in any way connected with the department or agency concerned. However, the Comptroller General in decision B-118276, dated February 16, 1954, to the Secretary of Agriculture, held as follows:

"For the foregoing reasons, it is concluded that Public Law 286 is inapplicable to the free mailing privileges held by the State extension service directors and the State experiment stations, and that no basis exists for the use of appropriations of your Department for reimbursement to the Post Office Department of the cost of mailings by said organizations."

It is proposed to correct the omissions from the act of August 15, 1953, cited above, by requiring that there be paid out of the funds available to the departments and agencies concerned to the Post Office Department, as postal revenues,

of equivalent amounts of postage or registry fees to cover the postage and registry fees on the mailings of all who have authority to mail under the penalty privilege or to transmit official matter by registered mail without the payment of registry fees. Mailings by agricultural experiment stations and colleges under sections 325 and 365 of title 7, United States Code, and section 330 of title 39, United States Code, will be made out of appropriations made therefor to the Department of Agriculture.

The provisions of law embodied in section 321n, title 39, United States Code, require that the head of each independent establishment and executive department (other than the Post Office Department) shall certify to the Postmaster General at the end of each quarter that nothing was transmitted through the mails free of postage in violation of the provisions of the Penalty Mail Act.

Under the provisions of tile 29, United States Code, section 321i, the departments and agencies are directed to transfer to postal revenues from their respective appropriations or funds available, the equivalent amount of postage to cover penalty mailings.

That portion of the Penalty Mail Act requiring certifications was for the purpose of effecting a control on the amount of penalty mailings and keep them at a minimum. Since the departments and agencies are now required to pay for their penalty mailings, there appears to be no particular need for such quarterly certifications to the Postmaster General. This requirement should be repealed, and other changes made in the law to conform to the act of August 15, 1953.

It is believed that the legislative proposal transmitted herewith will accomplish the purposes desired, and this Department urges its early enactment.

It is estimated that the enactment of the legislative proposal will add about \$2,300,000 to the revenues of the Post Office Department.

The Bureau of the Budget has advised that there would be no objection to the submission of this legislative proposal to Congress.

Sincerely yours,

C. R. Hook, Jr.,
Acting Postmaster General.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, S. 1871, as reported, are shown as follows (new matter is printed in italics, existing law in which no change is proposed is shown in roman, matter to be omitted shown in black brackets):

AN ACT To reimburse the Post Office Department for the transmission of official Government-mail matter (67 Stat. 614)

* * * * *

SEC. 2. The postage on mail matter sent and received through the mails under the franking privilege by the Vice President, Members, and Members-elect of Congress, the Delegates and Delegates-elect from Alaska and Hawaii, the Resident Commissioner from Puerto Rico, the Secretary of the Senate, and the Clerk of the House of Representatives, including registry fees if registration is required, shall be paid by a lump-sum appropriation to be made to the Post Office Department for that purpose, and the amount of such lump-sum appropriation shall be credited to the Post Office Department as postal revenue.

SEC. 3. *There shall be paid to the Post Office Department, as postal revenue, out of the respective appropriations or funds available to the departments, agencies, establishments, Government corporations, and all other organizations and persons concerned, the equivalent amount of postage or registry fees, as determined pursuant to regulations prescribed by the Postmaster General for matter sent in the mails without prepayment of postage, or without prepayment of registry fees, by the department, agency, establishment, Government corporation, organization, or person concerned, for which the Post Office Department otherwise does not receive compensation, under authority of the following laws:*

(1) *Section 3932 of the Revised Statutes (39 U. S. C. 385);*

(2) *That part of section 3 of the Act entitled "An Act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1885, and for other purposes", approved July 5, 1884 (23 Stat. 158), as amended by section 2 of the Act entitled "An Act authorizing the Postmaster General to establish a uniform system of registration of mail matter, and for other purposes",*

approved May 1, 1928 (45 Stat. 469), and codified in section 321a of title 39, United States Code;

(3) Section 10 of title 13, United States Code (sec. 1, ch. 1158, 68 Stat. 1012, 1014);

(4) The first and second provisos of section 306 of title III of the Act entitled "An Act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes", approved June 25, 1948 (62 Stat. 1049; 39 U. S. C. 321n); and

(5) Section 345 of the Act entitled "An Act to revise the laws relating to immigration, naturalization, and nationality; and for other purposes", approved June 27, 1952 (66 Stat. 266; 8 U. S. C. 1456).

Such payments shall be regarded as a necessary expense of the respective appropriations and activities.

SEC. 4. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made therefor, to the Department of Agriculture, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General for matter sent in the mails without prepayment of postage pursuant to the following laws:

(1) Section 4 of the Act entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an Act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto", approved March 2, 1887 (24 Stat. 441; 7 U. S. C. 365);

(2) Section 3 of the Act entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an Act of Congress approved July second, eighteen hundred and sixty-two", approved August 30, 1890 (26 Stat. 418; 7 U. S. C. 325); and

(3) The proviso in the third paragraph under "General Expenses, Offices of Experiment Stations" in the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915", approved June 30, 1914 (38 Stat. 438; 39 U. S. C. 330).

SECTION 15 OF TITLE 17, UNITED STATES CODE

【§ 15. SAME; POSTMASTER'S RECEIPT; TRANSMISSION BY MAIL WITHOUT COST.—The postmaster to whom are delivered the articles deposited as provided in sections 12 and 13 of this title shall, if requested, give a receipt therefor and shall mail them to their destination without cost to the copyright claimant.】

SECTION 306 OF THE PENALTY MAIL ACT OF 1948 (62 STAT. 1049)

SEC. 306. No executive department or independent establishment of the Government shall transmit through the mail, [free of postage] as *penalty mail* any book, report, periodical, bulletin, pamphlet, list, or other article or document (except official letter correspondence, including such enclosures as are reasonably related to the subject matter of the correspondence; informational releases in connection with the decennial census of the United States, mail concerning the sale of Government securities, and all forms and blanks and copies of statutes, rules, regulations, and instructions and administrative orders and interpretations necessary in the administration of such departments and establishments), unless a request therefor has been previously received by such department or independent establishment; or such transmission is required by law; or such document is transmitted to inform the recipient thereof of the adoption, amendment, or interpretation of a statute, rule, regulation, or order to which he is subject. 【The head of each independent establishment and executive department (other than the Post Office Department) shall certify to the Postmaster General at the end of each quarter that nothing was transmitted through the mail free of postage by the independent establishment or department in violation of the provisions of this section: *Provided, That*】 nothing herein shall be construed to prohibit the mailing [free of postage] as *penalty mail* of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Public Documents, or of announcements of publications of maps, atlases, statistical, and other reports offered for sale by the Federal Power Commission as authorized by section 825k of title 16 U. S. C.: *Provided further*, That this prohibition shall not apply to the transmission of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions or public libraries, or to Federal, State, or other public authorities.

Calendar No. 1675

84TH CONGRESS
2D SESSION

S. 1871

[Report No. 1651]

IN THE SENATE OF THE UNITED STATES

MAY 2, 1955

Mr. CARLSON introduced the following bill; which was read twice and referred to the Committee on Post Office and Civil Service

MARCH 13, 1956

Reported by Mr. JOHNSTON of South Carolina, without amendment

A BILL

To amend the Act entitled "An Act to reimburse the Post Office Department for the transmission of official Government-mail matter", approved August 15, 1953 (67 Stat. 614), and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act entitled "An Act to reimburse the Post Office
4 Department for the transmission of official Government-mail
5 matter", approved August 15, 1953 (67 Stat. 614), is
6 amended by the addition of sections 3 and 4 to read as
7 follows:

8 "SEC. 3. There shall be paid to the Post Office Depart-
9 ment, as postal revenue, out of the respective appropriations

1 or funds available to the departments, agencies, establish-
2 ments, Government corporations, and all other organizations
3 and persons concerned, the equivalent amount of postage or
4 registry fees, as determined pursuant to regulations pre-
5 scribed by the Postmaster General for matter sent in the
6 mails without prepayment of postage, or without prepay-
7 ment of registry fees, by the department, agency, establish-
8 ment, Government corporation, organization, or person con-
9 cerned, for which the Post Office Department otherwise does
10 not receive compensation, under authority of the following
11 laws:

12 “(1) Section 3932 of the Revised Statutes (39 U. S.
13 C. 385) ;

14 “(2) That part of section 3 of the Act entitled ‘An Act
15 making appropriations for the service of the Post Office
16 Department for the fiscal year ending June 30, 1885, and
17 for other purposes’, approved July 5, 1884 (23 Stat. 158) .
18 as amended by section 2 of the Act entitled ‘An Act author-
19 izing the Postmaster General to establish a uniform system of
20 registration of mail matter, and for other purposes’, approved
21 May 1, 1928 (45 Stat. 469) , and codified in section 321a
22 of title 39, United States Code ;

23 “(3) Section 10 of title 13, United States Code (sec.
24 1, ch. 1158, 68 Stat. 1012, 1014) ;

25 “(4) The first and second provisos of section 306 of title

1 III of the Act entitled 'An Act making appropriations to
2 supply deficiencies in certain appropriations for the fiscal
3 year ending June 30, 1948, and for other purposes',
4 approved June 25, 1948 (62 Stat. 1049; 39 U. S. C. 321n) ;
5 and

6 “(5) Section 345 of the Act entitled 'An Act to revise
7 the laws relating to immigration, naturalization, and nation-
8 ality; and for other purposes', approved June 27, 1952
9 (66 Stat. 266; 8 U. S. C. 1456) .

10 “Such payments shall be regarded as a necessary ex-
11 pense of the respective appropriations and activities.

12 “SEC. 4. There shall be paid to the Post Office Depart-
13 ment, as postal revenue, out of appropriations made therefor,
14 to the Department of Agriculture, the equivalent amount of
15 postage, as determined pursuant to regulations prescribed by
16 the Postmaster General for matter sent in the mails without
17 prepayment of postage pursuant to the following laws:

18 “(1) Section 4 of the Act entitled 'An Act to establish
19 agricultural experiment stations in connection with the col-
20 leges established in the several States under the provisions
21 of an Act approved July second, eighteen hundred and sixty-
22 two, and of the acts supplementary thereto', approved March
23 2, 1887 (24 Stat. 441; 7 U. S. C. 365) ;

24 “(2) Section 3 of the Act entitled 'An Act to apply a
25 portion of the proceeds of the public lands to the more

1 complete endowment and support of the colleges for the
2 benefit of agriculture and the mechanic arts established under
3 the provisions of an Act of Congress approved July second,
4 eighteen hundred and sixty-two', approved August 30, 1890
5 (26 Stat. 418; 7 U. S. C. 325) ; and

6 " (3) The proviso in the third paragraph under 'General
7 Expenses, Offices of Experiment Stations' in the Act entitled
8 'An Act making appropriations for the Department of Agri-
9 culture for the fiscal year ending June 30, 1915', approved
10 June 30, 1914 (38 Stat. 438; 39 U. S. C. 330) ."

11 SEC. 2. Section 15 of title 17, United States Code (sec.
12 1, ch. 391, 61 Stat. 652) , is hereby repealed.

13 SEC. 3. Section 306 of title III of the Act of June 25,
14 1948 (62 Stat. 1049; 39 U. S. C. 321n) , is hereby amended
15 by (A) striking out the words "free of postage" wherever
16 they appear therein, and by inserting, in lieu thereof "as
17 penalty mail"; and (B) by striking out all of the second
18 sentence down to and including the words "*Provided, That*",
19 in the first proviso.

20 SEC. 4. This Act shall be effective July 1, 1955.

A BILL

To amend the Act entitled "An Act to reimburse the Post Office Department for the transmission of official Government-mail matter", approved August 15, 1953 (67 Stat. 614), and for other purposes.

By Mr. CARLSON

MAY 2, 1955

Read twice and referred to the Committee on Post Office and Civil Service

MARCH 13, 1956

Reported without amendment

S. 1871

March 10, 1871

A BILL

For the purpose of providing for the better regulation of the trade in slaves, and for other purposes.

Enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

Approved March 10, 1871.

March 19, 1956

Extension of remarks of Rep. Johnson, Wis., stating that "there are some people who believe that there are too many farmers in the United States, and that the solution to our farm problem is to bulldoze about a million small, family farmers off from the land," and inserting a newspaper editorial on the decline in farm income. p. A2455

SENATE (cont'd)

25. NOMINATIONS. Confirmed the nomination of Edgar Bernard Brossard to be a member of the U. S. Tariff Commission. p. 4429
26. TRANSPORTATION. Received the report of the Select Committee on Small Business on the competition, regulation, and public interest in the motor-carrier industry (S. Rept. 1693). p. 4431
as reported
27. PERSONNEL. Passed/S. 3237, to provide for continuance of life insurance coverage under Federal Employees Group Life Insurance Act in the case of employees receiving benefits under Employees' Compensation Act. p. 4456
as reported
Passed/S. 5315, providing that title to benefits from the civil-service retirement and disability fund shall not arise from any separation unless the employee has, within the 2-year period immediately preceding the separation, completed at least 1 year of creditable service. p. 4456
as reported
28. PENALTY MAIL. Passed/H. R. 5856, to strike out the second sentence of section 301 of the Penalty Mail Act of 1948, as amended, which requires the heads of departments and agencies to submit to the Postmaster General within 60 days after the close of each fiscal year a statement showing the number of penalty envelopes, labels, wrappers, and cards on hand at the close of such fiscal year. The Senate committee report states: "The requirements of this provision have imposed an unnecessary and costly burden on the agencies of the Government using penalty mail. Since enactment of Public Law 286, 83d Congress, requiring Government agencies to pay for all penalty mail, the reporting of unused penalty stock on hand serves no useful purpose. It has been estimated that elimination of the requirement will save about 3,800,000 annually." p. 4458
as reported
Passed/S. 1871, which provides for inclusion, in the appropriations reimbursing the Post Office Department for the transmission of official Government mail matter, including mailings by the judicial and executive branches of the Government, with the exception of the mailings made by the Post Office Department, of registry fees on their mailings. p. 4457
29. NOTARIES PUBLIC. Passed with amendments S. 1542, to authorize an allowance for civilian officers and employees of the Government who are notaries public. p. 4458
30. INTERNATIONAL AFFAIRS. Passed over, at the request of Sen. Hruska, S. 3116, to provide for participation in international fairs and festivals, etc. p. 4459
31. FLOOD CONTROL. Passed as reported H. R. 5556, authorizing a preliminary examination and survey of McGirts Creek, Fla., for flood control. p. 4455
32. RECLAMATION. Passed with amendment H. R. 6268, to facilitate the construction of drainage works on Federal reclamation projects. p. 4459
33. FORESTRY. Passed as reported H. R. 4680, affirming that title of a tract of land in California vested in the State in January 1897. p. 4458

34. LEGISLATIVE PROGRAM. The "Daily Digest" states that on Tuesday, March 20, the Senate will begin consideration of S. J. Res. 31, proposed constitutional amendment respecting the election of President and Vice President. p. D253

BILLS INTRODUCED

35. FLOOD CONTROL. S. 3469, by Sen. Jackson, to increase and revise the authorization for small flood-control projects in section 205 of the Flood Control Act of June 30, 1948, as amended by section 212 of the Flood Control Act of May 17, 1950; and to extend such authorization to bank protection projects; to Public Works Committee. Remarks of author, p. 4431.
36. PERSONNEL. S. 3477, by Sen. Johnston, S. C., to provide for the procurement by the Government of insurance against risk to civilian personnel of liability for personal injury or death, or for property damage, arising from the operation of motor vehicles in the performance of official Government duties; to Post Office and Civil Service Committee.
37. RECLAMATION. H. R. 10024, by Rep. Berry, to permit the Secretary of the Interior to waive certain requirements of law with respect to joint liability under contracts entered into pursuant to the Federal reclamation laws; to Interior and Insular Affairs Committee.
38. LIVESTOCK. H. R. 10029, by Rep. Fernandez, "to amend section 317 (a) of the Packers and Stockyards Act, 1921;" to Agriculture Committee.
39. FORESTS. H. R. 10042, by Rep. Reuss, to amend section 1 of the act entitled "An act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin," approved March 28, 1908, as amended; to Interior and Insular Affairs Committee.
40. NATURAL RESOURCES. H. R. 10044, by Rep. Reuss, to reduce the percentage depletion for natural resources; to Ways and Means Committee.
41. WATER RESEARCH. H. J. Res. 587, by Rep. Utt, authorizing the Secretary of the Interior to establish and construct certain facilities at San Diego County, Calif., for the purpose of conducting research in methods of converting saline water to potable water; to Interior and Insular Affairs Committee.

COMMITTEE HEARING ANNOUNCEMENTS FOR MAR. 20:

Second Supplemental Appropriations for 1956, S. Appropriations (exec) (Morse, Clarkson, McArdle, Ritchie, and Scott to testify).

Rural Housing, S. Banking and Currency (McLeaish, Smith to testify).

bership roll prepared for such purpose was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to segregate the fund on deposit in the Treasury of the United States titled "the Three Affiliated Tribes of Fort Berthold Reservation, N. Dak." on the basis of a membership roll prepared for that purpose and approved by the Secretary. The segregated shares of adults, including interest accruals thereon, shall be subject to expenditure in accordance with plans prepared and submitted by such adults and approved by the Secretary. The segregated shares, including interest accruals thereon, of persons who are minors or non compos mentis shall be subject to expenditure in accordance with procedures approved by the Secretary. The Secretary may require any segregated share of a member to be used to pay a debt that is owed by such person to the Tribes or to the United States and that is due and payable.

CONVEYANCE TO LAKE COUNTY, CALIF., OF LOWER LAKE RANCHERIA

The bill (H. R. 585) to authorize the conveyance to Lake County, Calif., of the Lower Lake Rancheria, and for other purposes, was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. ERVIN. Mr. President, the bill provides for the conveyance to Lake County, Calif., of a part of the Lower Lake Rancheria. The purpose is the establishment of an airport. However, title to 41 acres of the approximately 140 acres is to be vested in Mr. Harry Johnson, the present occupant of the 41-acre tract; and the land is to be sold for its fair market value.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 585) was considered, ordered to a third reading, read the third time, and passed.

RELEASE BY THE UNITED STATES OF RIGHT AND INTEREST IN CERTAIN LAND IN SAGINAW COUNTY, MICH.

The bill (H. R. 622) to provide for the release by the United States of its right and interest in certain land located in Saginaw County, Mich., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McNAMARA. Mr. President, I do not have objection, but I should like to have an explanation of the bill.

Mr. BIBLE. Mr. President, this bill releases any right that the United States may retain in 640 acres in Saginaw County, Mich., which rights inure to Saginaw County, stemming from some Indian treaties. The reason for the release is to remove any possible cloud on title which results from the discrepancy between the old deeds and the Indian treaties. There was no objection by the Department of the Interior. As a mat-

ter of fact, the Department recommends that the bill be passed, in order to remove possible clouds on title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McNAMARA. I have no objection, Mr. President.

There being no objection, the bill (H. R. 622) was considered, ordered to a third reading, read the third time, and passed.

EXECUTION OF MORTGAGES AND DEEDS OF TRUST ON INDIAN TRUST OR RESTRICTED LAND

The bill (H. R. 4802) to authorize the execution of mortgages and deeds of trust on individual Indian trust or restricted land was considered, ordered to a third reading, read the third time, and passed.

ACQUIREMENT OF TRUST INTERESTS IN TRIBAL LANDS OF THE FORT BERTHOLD RESERVATION

The Senate proceeded to consider the bill (S. 1528) to authorize enrolled members of the three affiliated tribes of the Fort Berthold Reservation, N. Dak., to acquire trust interest in the tribal lands of the reservation, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 1, after the enacting clause, to strike out "That the Secretary of the Interior, with the consent of the Fort Berthold Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak., is" and insert "That, notwithstanding the provisions of the constitution and charter of the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak., the Secretary of the Interior, with the consent of the governing body of the tribes, is", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of the constitution and charter of the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak., the Secretary of the Interior, with the consent of the governing body of the tribes, is hereby authorized to dispose of tribal lands within the boundaries of such reservation to any enrolled member of the Three Affiliated Tribes of the Fort Berthold Reservation upon such terms and conditions as the Secretary may prescribe. Title to any land conveyed under this act shall be taken in the name of the United States in trust for the individual Indian owner.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INCREASED APPROPRIATION AUTHORIZATION FOR THE WOODROW WILSON CENTENNIAL CELEBRATION COMMISSION

The joint resolution (H. J. Res. 443) to increase the appropriation authorization for the Woodrow Wilson Centennial Celebration Commission was considered, ordered to a third reading, read the third time, and passed.

REIMBURSEMENT FOR TRANSMISSION OF OFFICIAL GOVERNMENT MAIL MATTER

The bill (S. 1871) to amend the act entitled "An act to reimburse the Post Office Department for the transmission of official Government mail matter," approved August 15, 1953 (67 Stat. 614), and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter," approved August 15, 1953 (67 Stat. 614), is amended by the addition of sections 3 and 4 to read as follows:

"Sec. 3. There shall be paid to the Post Office Department, as postal revenue, out of the respective appropriations or funds available to the departments, agencies, establishments, Government corporations, and all other organizations and persons concerned, the equivalent amount of postage or registry fees, as determined pursuant to regulations prescribed by the Postmaster General for matter sent in the mails without prepayment of postage, or without prepayment of registry fees, by the department, agency, establishment, Government corporation, organization, or person concerned, for which the Post Office Department otherwise does not receive compensation, under authority of the following laws:

"(1) Section 3932 of the Revised Statutes (39 U. S. C. 385);

"(2) That part of section 3 of the act entitled 'An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1885, and for other purposes,' approved July 5, 1884 (23 Stat. 158), as amended by section 2 of the act entitled 'An act authorizing the Postmaster General to establish a uniform system of registration of mail matter, and for other purposes,' approved May 1, 1928 (45 Stat. 469), and codified in section 321a of title 39, United States Code;

"(3) Section 10 of title 13, United States Code (sec. 1, ch. 1158, 68 Stat. 1012, 1014);

"(4) The first and second provisos of section 306 of title III of the act entitled 'An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes,' approved June 25, 1948 (62 Stat. 1049; 39 U. S. C. 321n); and

"(5) Section 345 of the act entitled 'An act to revise the laws relating to immigration, naturalization, and nationality; and for other purposes,' approved June 27, 1952 (66 Stat. 266; 8 U. S. C. 1456).

"Such payments shall be regarded as a necessary expense of the respective appropriations and activities.

"Sec. 4. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made therefor, to the Department of Agriculture, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General for matter sent in the mails without prepayment of postage pursuant to the following laws:

"(1) Section 4 of the act entitled 'An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto,' approved March 2, 1887 (24 Stat. 441; 7 U. S. C. 365);

"(2) Section 3 of the act entitled 'An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act

of Congress approved July 2, 1862,' approved August 30, 1890 (26 Stat. 418; 7 U. S. C. 325); and

"(3) The proviso in the third paragraph under 'General expenses, offices of experiment stations' in the act entitled 'An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915,' approved June 30, 1914 (38 Stat. 438; 39 U. S. C. 330)."

SEC. 2. Section 15 of title 17, United States Code (sec. 1, ch. 391, 61 Stat. 652), is hereby repealed.

SEC. 3. Section 306 of title III of the act of June 25, 1948 (62 Stat. 1040; 39 U. S. C. 321n), is hereby amended by (A) striking out the words "free of postage" wherever they appear therein, and by inserting in lieu thereof "as penalty mail"; and (B) by striking out all of the second sentence down to and including the words "Provided, That," in the first proviso.

SEC. 4. This act shall be effective July 1, 1955.

ALLOWANCE FOR NOTARIES PUBLIC

The Senate proceeded to consider the bill (S. 1542) to authorize an allowance for civilian officers and employees of the Government who are notaries public, which had been reported from the Committee on Post Office and Civil Service with amendments on page 1, line 4, after the word "the", to strike out "Government" and insert "Federal Government and the municipal government of the District of Columbia," and on page 2, line 2, after the word "the", to strike out "Government" and insert "Federal Government and the municipal government of the District of Columbia", so as to make the bill read:

Be it enacted, etc., That civilian officers and employees of the departments and establishments of the Federal Government and the municipal government of the District of Columbia who are required to serve as notaries public in connection with the performance of official business shall be paid an allowance to be established by the department or establishment concerned not to exceed the expense required to be incurred by them in order to obtain their commission from and after January 1, 1955.

SEC. 2. Funds available to the departments and establishments of the Federal Government and the municipal government of the District of Columbia for personal services or general administrative expenses shall be available to carry out the purposes of this act.

SEC. 3. This act may be cited as the "Notaries Public Expense Act of 1955."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 1161) to abolish the Fossil Cycad National Monument, South Dakota, and for other purposes, was announced as next in order.

Mr. HRUSKA. Over.

Mr. CASE of South Dakota. Mr. President, some question has arisen with regard to certain features of this bill, and I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

AFFIRMATION OF TITLE TO CERTAIN LAND IN CALIFORNIA

The bill (H. R. 4680) affirming that title to a certain tract of land in California vested in the State of California on January 21, 1897 was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN FEDERAL LAND TO SCHOOL DISTRICT NO. 24, LAKE COUNTY, OREG.

The bill (H. R. 6772) to authorize the Secretary of the Interior to convey certain federally owned land under his jurisdiction to the school district No. 24 of Lake County, Oreg., was announced as next in order.

Mr. MORSE. Mr. President, I ask the author of the bill if it contains a provision for compensation. As the Senate knows, I have insisted since 1946 that Federal property belonging to all of the taxpayers of the Nation should not be given away. As a result of my persistence in this matter the Senate has come to apply, with only rare exceptions, the so-called Morse formula recommended by the old Naval Affairs Committee in 1946. Under this formula when Federal property is to be transferred to a State government, or a county or municipal governmental body or a school district or any other local governmental unit the Federal Government must receive payment of at least 50 percent of the appraised fair market value for the property if it is to be used for a local public use. Of course it would not be fair of me to insist that the formula not be applied in my own State and, therefore, I have been as insistent that it be applied to Oregon as to every other State. The Morse formula has saved the taxpayers of the United States about \$500 million since 1946.

I certainly want school district No. 24 in Lake County, Oreg., to obtain the property involved in this bill and I am sure that the school district would want to comply with the Morse formula.

Mr. ERVIN. The bill provides that conveyance shall be made upon payment of the fair market value of the land, as determined by the Secretary.

Mr. MORSE. I have no objection. However, let me say for the record that, inasmuch as this is a bill involving my own State, I would object if it did not provide for compensation at a figure equal to at least half of the appraised fair market value of the property. Under the Morse formula, the Secretary could fix the price at half of the fair market value, but apparently in this case the committee believes that a fair market value would be just and reasonable.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time and passed.

ABOLISHMENT OF CASTLE PINCKNEY NATIONAL MONUMENT, S. C.

The bill (H. R. 4391) to abolish the Castle Pinckney National Monument in the State of South Carolina, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

EXCHANGE AND TRANSFER OF CERTAIN LANDS TO THE COMMONWEALTH OF VIRGINIA

The bill (H. R. 5280) to authorize land exchanges for purposes of Colonial National Historical Park in the State of Virginia; to authorize the transfer of certain lands of Colonial National Historical Park, in the State of Virginia, to the Commonwealth of Virginia, and for other purposes was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill? I am satisfied that it meets the compensation requirement.

Mr. ROBERTSON. Mr. President, I am interested in the bill, because the national park is in Virginia. The Government owns more than 9,000 acres. Within that boundary are about 90 acres of privately owned land which the Government very much needs. There is more than 100 acres on the perimeter which the Government does not need. The bill would authorize the Secretary of the Interior to negotiate land transfers. There is to be an appraisal of value, and if there is any difference in value, the difference will have to be paid in cash. It is all on a strictly cash basis, and very much to the interest of the Government.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

RECONVEYANCE OF OIL AND GAS AND MINERAL INTERESTS IN CERTAIN LANDS TO FORMER OWNERS

The bill (H. R. 7097) to provide for the reconveyance of oil and gas and mineral interests in a portion of the lands acquired for the Demopolis Lock and Dam project, to the former owners thereof, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

REPEAL OF REQUIREMENT FOR REPORTING PENALTY ENVELOPES AND WRAPPERS ON HAND TO THE POSTMASTER GENERAL

The bill (H. R. 5856) to repeal the requirement for the heads of departments and agencies to report to the Postmaster General the number of penalty envelopes and wrappers on hand at the close of each fiscal year was considered, ordered to a third reading, read the third time, and passed.

84TH CONGRESS
2D SESSION

S. 1871

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 1956

Referred to the Committee on Post Office and Civil Service

AN ACT

To amend the Act entitled "An Act to reimburse the Post Office Department for the transmission of official Government-mail matter", approved August 15, 1953 (67 Stat. 614), and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act entitled "An Act to reimburse the Post Office
4 Department for the transmission of official Government-mail
5 matter", approved August 15, 1953 (67 Stat. 614), is
6 amended by the addition of sections 3 and 4 to read as
7 follows:

8 "SEC. 3. There shall be paid to the Post Office Depart-
9 ment, as postal revenue, out of the respective appropriations

1 or funds available to the departments, agencies, establish-
2 ments, Government corporations, and all other organizations
3 and persons concerned, the equivalent amount of postage or
4 registry fees, as determined pursuant to regulations pre-
5 scribed by the Postmaster General for matter sent in the
6 mails without prepayment of postage, or without prepay-
7 ment of registry fees, by the department, agency, establish-
8 ment, Government corporation, organization, or person con-
9 cerned, for which the Post Office Department otherwise does
10 not receive compensation, under authority of the following
11 laws:

12 “(1) Section 3932 of the Revised Statutes (39
13 U. S. C. 385) ;

14 “(2) That part of section 3 of the Act entitled ‘An Act
15 making appropriations for the service of the Post Office
16 Department for the fiscal year ending June 30, 1885, and
17 for other purposes’, approved July 5, 1884 (23 Stat. 158),
18 as amended by section 2 of the Act entitled ‘An Act author-
19 izing the Postmaster General to establish a uniform system of
20 registration of mail matter, and for other purposes’, approved
21 May 1, 1928 (45 Stat. 469), and codified in section 321a
22 of title 39, United States Code ;

23 “(3) Section 10 of title 13, United States Code (sec.
24 1, ch. 1158, 68 Stat. 1012, 1014) ;

25 “(4) The first and second provisos of section 306 of title

1 III of the Act entitled 'An Act making appropriations to
2 supply deficiencies in certain appropriations for the fiscal
3 year ending June 30, 1948, and for other purposes',
4 approved June 25, 1948 (62 Stat. 1049; 39 U. S. C. 321n) ;
5 and

6 “(5) Section 345 of the Act entitled 'An Act to revise
7 the laws relating to immigration, naturalization, and nation-
8 ality; and for other purposes', approved June 27, 1952
9 (66 Stat. 266; 8 U. S. C. 1456) .

10 “Such payments shall be regarded as a necessary ex-
11 pense of the respective appropriations and activities.

12 “SEC. 4. There shall be paid to the Post Office Depart-
13 ment, as postal revenue, out of appropriations made therefor,
14 to the Department of Agriculture, the equivalent amount of
15 postage, as determined pursuant to regulations prescribed by
16 the Postmaster General for matter sent in the mails without
17 prepayment of postage pursuant to the following laws:

18 “(1) Section 4 of the Act entitled 'An Act to establish
19 agricultural experiment stations in connection with the col-
20 leges established in the several States under the provisions
21 of an Act approved July second, eighteen hundred and sixty-
22 two, and of the acts supplementary thereto', approved March
23 2, 1887 (24 Stat. 441; 7 U. S. C. 365) ;

24 “(2) Section 3 of the Act entitled 'An Act to apply a
25 portion of the proceeds of the public lands to the more

1 complete endowment and support of the colleges for the
2 benefit of agriculture and the mechanic arts established under
3 the provisions of an Act of Congress approved July second,
4 eighteen hundred and sixty-two', approved August 30, 1890
5 (26 Stat. 418; 7 U. S. C. 325) ; and

6 “ (3) The proviso in the third paragraph under ‘General
7 Expenses, Offices of Experiment Stations in the Act entitled
8 ‘An Act making appropriations for the Department of Agri-
9 culture for the fiscal year ending June 30, 1915’, approved
10 June 30, 1914 (38 Stat. 438; 39 U. S. C. 330) .”

11 SEC. 2. Section 15 of title 17, United States Code (sec.
12 1, ch. 391, 61 Stat. 652) , is hereby repealed.

13 SEC. 3. Section 306 of title III of the Act of June 25,
14 1948 (62 Stat. 1049; 39 U. S. C. 321n) , is hereby amended
15 by (A) striking out the words “free of postage” wherever
16 they appear therein, and by inserting, in lieu thereof “as
17 penalty mail”; and (B) by striking out all of the second
18 sentence down to and including the words “*Provided, That*”,
19 in the first proviso.

20 SEC. 4. This Act shall be effective July 1, 1955.

Passed the Senate March 19, 1956.

Attest:

FELTON M. JOHNSTON,

Secretary.

AN ACT

To amend the Act entitled "An Act to reimburse the Post Office Department for the transmission of official Government-mail matter", approved August 15, 1953 (67 Stat. 614), and for other purposes.

MARCH 20, 1956
Referred to the Committee on Post Office and Civil
Service

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued
For actions of

May 25, 1956
May 24, 1956
84th-2nd, No. 86

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Flood control.....32	Postal service.....4	Wheat.....21
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Grains.....1	Price supports.....3	

HIGHLIGHTS: House committee reported bill to increase CCC borrowing authority. Conferees received permission to file report on USDA appropriation bill by Fri. midnight. Rep. Reece defended CCC cheese transactions and administration's action in raising price supports for dairy products. House committee reported bill to authorize use of CCC grain for feeding wild birds. Senate passed bill to extend housing program. Senate passed bill to stabilize fishery industry. Senate committee reported general government matters and independent offices appropriation bills. Rep. Hope introduced bill to increase Public Law 480 authorization.

HOUSE

1. COMMODITY CREDIT CORPORATION. The Banking and Currency Committee reported with amendment H. R. 11132, to increase the borrowing authority of CCC (H. Rept. 2211). p. 8000
Rep. Reece defended the actions of CCC in the cheese transactions under investigation by the Government Operations Committee and the actions of the Department in raising the support level for dairy products. p. 7988
The Banking and Currency Committee reported with amendment H. R. 7641, to provide for the use of CCC surplus grains to feed certain wild birds in an effort to prevent waterfowl depredations (H. Rept. 2210). p. 8000
2. APPROPRIATIONS. Conferees on H. R. 11177, the USDA appropriation bill for 1957, received permission to file a conference report by Fri. midnight. p. 7975
3. PRICE SUPPORTS. Rep. Dixon inserted a newspaper editorial explaining the features of modernized parity and discussed the favorable outlook for farmers predicted in USDA "Agricultural Outlook Digest." p. 7991
4. POSTAL SERVICE. A Subcommittee of the Post Office and Civil Service Committee ordered reported to the full committee, amended, S. 1871, to provide for reimbursement to the Post Office Department for registration fees on Government

mail transmission. p. D530

5. PERSONNEL. Received from the HEW Department a proposed bill "...to include, within the provisions of law providing punishment for killing or assaulting Federal officers on official duty, officers and employees of the Department of Health, Education, and Welfare engaged in enforcing the food and drug or public health laws of the United States"; to the Judiciary Committee. p. 8000
6. MONOPOLY. The Judiciary Committee reported without amendment H. R. 1840, to strengthen the Robinson-Patman Act and amend the antitrust law prohibiting price discrimination (H. Rept. 2202). p. 8000
7. FOREIGN AID. Rep. Richards received permission for the Foreign Affairs Committee to file a report on H. R. 11356, the mutual security bill, by Fri. midnight. p. 7988
8. LEGISLATIVE PROGRAM. Rep. Albert announced the following schedule for next week: Mon., D. C. bills, the Legislative appropriation bill, and the conference report on the USDA appropriation bill; Tues., "undetermined"; Wed., adjourned; Thurs., defense production bill and farm credit bill; and the foreign aid bill is to be considered on June 6. p. 7977
9. ADJOURNED until Mon., May 28. pp. 7977, 7999

SENATE

10. HOUSING LOANS. Passed with amendments S. 3855, to extend the housing program (pp. 8015, 8033, 8043, 8059). A greed to an amendment by Sen. Lehman to extend the veterans housing loan program for 1 year beyond July 25, 1957. (p. 8042). For provisions of interest to this Department, see Digest 81.
11. FISHERIES. Passed with amendments S. 3275, to establish a sound and comprehensive national policy with respect to the development, conservation, and use of fisheries resources, and to create and prescribe the functions of a U. S. Fisheries Commission. p. 8082
12. APPROPRIATIONS. The Appropriations Committee reported with amendments the following bills: p. 8003
H. R. 9536, the general government matters appropriation bill for 1957 (S. Rept. 2042); and
H. R. 9739, the independent offices appropriation bill for 1957 (S. Rept. 2041)
Made H. R. 10721, the State-Justice appropriation bill, its unfinished business to be considered today. p. 8090
13. ROADS. Majority Leader Johnson announced that H. R. 10660, the road bill, would probably be reported today, and taken up on Mon. p. 8090
14. FARM PROGRAM. Sen. Carlson inserted an analysis made by this Department of the new farm bill. p. 8011
15. LIBRARY SERVICES. The Labor and Public Welfare Committee ordered reported without amendment H. R. 2840, to promote the further development of public library services in rural areas. p. D527
16. MILK. The Labor and Public Welfare Committee ordered reported without amendment S. 1614, to revise the definition and standards for certain dry milk solids. p. D527

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued
For actions of

June 22, 1956
June 21, 1956
84th-2nd, No. 103

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HIGHLIGHTS: House committee ordered reported bills to decrease review period for watershed projects; continue ACP; release certain Tongass Forest receipts from escrow; extend school milk program to certain institutions; authorize land purchase in Cache National Forest; permit certain cotton futures purchasing; approve Middle Atlantic Forest fire protection compact; prescribe the civil penalties for violations of Federal Seed Act; and permit certain USDA-State-local employees exchanges. House committee ordered reported fisheries bill. House committee ordered reported bill to provide for reimbursement to Post Office of registration fees on Government mail. Conferees agreed to file conference report on roads bill. Senate confirmed nomination of Hamil as REA Administrator.

HOUSE

1. THE AGRICULTURE COMMITTEE ordered reported the following bills: p. D662
H. R. 11873, to decrease the Congressional review period of projects under the Watershed Protection and Flood Prevention Act from 45 days to 15 days.
H. R. 9339, to authorize the exchange of certain lands within Chattahoochee National Forest, Ga.
H. R. 11375, to further extend the special school milk program to certain institutions for the care and training of children, whether or not under-privileged.
H. R. 609, to extend the provisions of the Federal Import Milk Act to Alaska.
H. R. 8321, to further extend the period of Federal administration of the ACP program from Jan. 1, 1957 to Jan. 1, 1959.
H. R. 9678, to provide for the transfer of the Baronof Castle site (formerly research land) to Sitka, Alaska.
H. R. 8898, to authorize the purchase of additional lands within the Cache National Forest, Utah.
H. R. 9333, to give to certain consuming processors of cotton the privilege of buying cotton futures contracts in certain cases.
H. R. 8817, to provide for the transfer of certain USDA lands to Corbin, Ky.

S. 3032, to approve the proposed Middle Atlantic Interstate Forest Fire Protection Compact.

S. 2517, to release from escrow certain timber sale receipts in the Tongass National Forest.

S. 1688, to remove the criminal penalty for inadvertent violations of the Federal Seed Act and to prescribe civil penalties for such violations of the Act.

S. 1915, to permit the exchange of employees of the USDA and employees of State-local political subdivisions or educational institutions.

2. FISHERIES. The Merchant Marine and Fisheries Committee ordered reported H. R. 11570, to establish a sound and comprehensive national policy with respect to fisheries and wildlife and create and establish in the Interior Department, the office of Undersecretary of Fisheries and Wildlife. p. D663
 3. POSTAL SERVICE. The Post Office and Civil Service Committee ordered reported S. 1871, to provide for the reimbursement to the Post Office Department of fees for registration of Government mail. p. D664
 4. ROADS. The conferees agreed to file a conference report on H. R. 10660, the road construction and revenue bill. p. D665
 5. PUBLIC DEBT. Passed without amendment H. R. 11740, to increase the public debt limit by \$3 billion for the fiscal year 1957. p. 9716
 6. DAYLIGHT-SAVING TIME. The D. C. Committee ordered reported S. 3295, to authorize extension of the period of daylight-saving time in D. C. until October. p. D662
 7. TRADE FAIRS. The Foreign Affairs Committee ordered reported H. J. Res. 604, to authorize the President to invite the States and foreign countries to participate in the U. S. World Trade Fair of 1957. p. D663
 8. PERSONNEL. The Post Office and Civil Service Committee reported without amendment S. 1542, to authorize an allowance for civilian officers and employees of the Government who are notaries public (H. Rept. 2410). p. 9720
 9. FOREIGN AID. Rep. Johansen criticized the continuation of foreign aid and urged a reappraisal of the entire foreign aid program. p. 9717
 10. LEGISLATIVE PROGRAM. Rep. McCormack announced the following schedule for the week of June 25: Mon., D. C. bills; the balance of the week, the veterans' compensation increase bill, the Federal aid school construction bill, the conference reports on the public works appropriation bill, the road bill, and the Labor-HEW appropriation bill. p. 9715
 11. ADJOURNED until Mon., June 25. p. 9719
- SENATE
12. NOMINATIONS. Confirmed the nominations of David A. Hamil to be REA Administrator, and Glenn A. Boger to be a member of the Federal Farm Credit Board. pp. 9660, 9709
 13. APPROPRIATIONS. Began debate on the Defense Department appropriation bill. pp. 9674, 9694, 9697

HOUSE

- 11. APPROPRIATIONS.** Received the conference reports on H. R. 11319, the public works appropriation bill for 1957 (H. Rept. 2413), and H. R. 9720, the Labor-HEW appropriation bill for 1957 (H. Rept. 2414). pp. 9846, 9851, 9882
- The conferees on H. R. 11319, the public works appropriation bill, agreed to the following provisions: Provided \$13 million as proposed by the Senate, instead of \$6 million by the House for the Upper Colorado River Basin project; omitted the Senate provision for construction of recreational facilities at reclamation projects on a nonreimbursable basis; and provided \$455,949,500 instead of \$422,034,000 as proposed by the House and \$463,673,000 as proposed by the Senate for general construction of Army river, harbor, and flood control projects and improvements.
- 12. ROADS.** Received the conference report on H. R. 10660, the Federal aid road construction and revenue bill (H. Rept. 2436). pp. 9855, 9822 The conferees agreed to provisions: authorizing appropriations of \$125 million in addition to other sums authorized for fiscal year 1957, \$850 million for fiscal year 1958, and \$875 million for fiscal year 1959 for the purposes of carrying out the provisions of the Federal aid highway and road program; apportioning the funds in the following manner: 45% for primary highways, 30% for secondary roads, and 25% for urban extensions; authorizing the appropriation of \$30 million for forest highways construction for each of the fiscal years 1958 and 1959, and \$27 million for forest development roads and trails for each of the fiscal years 1958 and 1959; providing that funds for forest highways, roads or trails authorized to be appropriated will be available for contract upon apportionment or a date not earlier than one year preceding the beginning of the fiscal year for which authorized if no apportionment is required; providing that funds available for highway and road construction shall also be used for the construction or improvement of public use facilities in the National forests repealing the apportionment procedures for forest roads and trails as contained in the Federal Highway Act of 1921; and providing that Federal funds may be used to reimburse States for the costs of utility relocations at the same ratio as Federal funds were used in the construction of the project.
- 13. TRANSPORTATION.** The Interstate and Foreign Commerce Committee reported with amendment S. 898, to amend the Interstate Commerce Act, with respect to the authority of the Interstate Commerce Commission to regulate the use by motor carriers (under leases, contracts, or other arrangements) of motor vehicles not owned by them, in the furnishing of transportation of property (H. Rept. 2425). p. 9882
- 14. PROPERTY.** Agreed to Senate amendments to H. R. 7227, to amend the Federal Property and Administrative Services Act of 1949, to authorize the disposal of surplus property for civil defense purposes, to provide that certain Federal surplus property be disposed of to State and local civil-defense organizations which are established by or pursuant to State law. p. 9854 This bill is now ready for the President.
- 15. DAYLIGHT SAVING TIME.** Passed without amendment S. 3295, to authorize the extension of daylight saving time to the last Sunday of October, by a vote of 199 to 120. p. 9873 This bill is now ready for the President.
- 16. POSTAL SERVICE.** The Post Office and Civil Service Committee reported with amendment S. 1871, to provide for the reimbursement to the Post Office Department of fees for registration of Government mail (H. Rept. 2421). p. 9882

17. BUILDINGS. The Public Works Committee reported without amendment S. 3866, to facilitate the making of lease-purchase agreements by GSA (H. Rept. 2422). p. 9882
18. WEATHER CONTROL. The Interstate and Foreign Commerce Committee reported without amendment S. 2913, to extend for two years (until June 30, 1958) the Advisory Committee on Weather Control (H. Rept. 2424). p. 9882
19. SCHOOL CONSTRUCTION. The Rules Committee reported a resolution for the consideration of H. R. 7535, to authorize Federal aid to school construction. p. 9882
20. WATER POLLUTION. The "Daily Digest" states that the conferees on S. 890, to extend and strengthen the Water Pollution Control Act, agreed to file a conference report. p. D678

ITEMS IN APPENDIX

21. PERSONNEL. Rep. Jensen inserted an editorial, "United States Should Be Generous To Retired Employees," favoring bills now pending in Congress which would increase certain benefits to annuitants. p. A4979
Rep. Colmer criticized the Supreme Court ruling on the loyalty program and stated that "...if permitted to go unchallenged is a fatal blow at the efforts of the executive and legislative departments of the Government to root out and keep out of the Government subversive employees," and inserted a newspaper article, "The Court Intrudes." p. A4991
22. REA. Sen. Langer inserted a GTA daily radio roundup broadcast commending rural electrification programs and stated that "...REA is a prime example of a program that has been a marvelous help to not only farm people, but city people, as well." p. A4985
23. SMALL BUSINESS. Rep. Hyde inserted a newspaper article describing the meeting held in Baltimore by the Small Business Administration; and stating that Administrator Barnes, SBA, in hailing the meeting as a success in disseminating information on how to do business with the Government, said that his agency plans to hold similar Government procurement conferences in other parts of the country. p. A4986
24. VEGETABLES. Rep. Minshall inserted a newspaper article, "Indoor Farmers," and stated that it is a success story of an extremely important segment of our agricultural economy--the vegetable growers of America. p. A4992
25. FARM INCOME. Rep. Johnson, Wis., inserted a Democratic Digest article, "Ezra Takes The Blame But It's Ike's Farm Depression," p. A4996
26. LEGISLATIVE AUTHORITY. Rep. Haley stated that "the Members of Congress should awaken to the fact that Congress is and has been in the process of delegating too much of its power to the various bureaus and agencies of the Government" and suggested a definite reappraisal of the situation. p. A4997
27. FOREIGN AID. Rep. Smith, Wis., inserted a newspaper article, "Foreign Aid Program Should Be Scrutinized," and stated that the overwhelming evidence is that our people are demanding that this program be carefully examined in the light of present-day world conditions." p. A5002

REIMBURSEMENT OF POST OFFICE DEPARTMENT BY
GOVERNMENT AGENCIES IN ADDITIONAL CASES FOR
TRANSMISSION OF MAIL MATTER

JUNE 25, 1956.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. ALEXANDER, from the Committee on Post Office and Civil
Service, submitted the following

R E P O R T

[To accompany S. 1871]

The Committee on Post Office and Civil Service, to whom was referred the bill (S. 1871) to amend the Act entitled "An Act to reimburse the Post Office Department for the transmission of official Government-mail matter", approved August 15, 1953 (67 Stat. 614), and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

AMENDMENTS

The committee proposes two amendments to the bill as passed the Senate: an amendment to the text and an amendment to the title.

AMENDMENT TO THE TEXT

The amendment proposed to the text strikes out all after the enacting clause and inserts in lieu thereof a substitute text which appears in the reported bill in italic type.

The purposes of this proposed amendment to the text are (1) to clarify the intent and purpose of the provisions of the bill as passed the Senate by making a number of adjustments of a technical nature in such provisions and (2) to effect two substantive changes in the bill as passed the Senate.

The first substantive change provides for the reimbursement of the Post Office Department by the Library of Congress of the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General, for matter transmitted in the mails with-

out prepayment of postage under authority of section 15 of title 17 of the United States Code (relating to the mailing of articles to the Register of Copyrights, Library of Congress, without cost to the copyright claimant). This substantive change proposed by the committee, which is to be in lieu of the repeal (contained in sec. 2 of the bill as passed the Senate) of such section 15 of title 17 of the United States Code, is made in order to accomplish the purpose of the bill (that is, reimbursement of the Post Office Department) without disturbing any existing provision of the copyright law. This change is further discussed in the section-by-section analysis of the bill, as reported.

The second substantive change provides that the effective date for the amendments made by the bill shall be July 1, 1956, in lieu of the effective date, July 1, 1955, which is provided by the bill as passed the Senate. This change in the effective date is made in order to avoid difficulties which might arise in connection with the retroactive application of the provisions of the bill with respect to a past fiscal year, including the need for supplemental appropriations by the Congress, if the July 1, 1955, date were retained.

AMENDMENT TO THE TITLE

The amendment proposed to the title is as follows:
Amend the title so as to read:

An Act to amend certain provisions of law in order to provide for the reimbursement of the Post Office Department by Government agencies in certain additional cases for the transmission of mail matter.

The purpose of this proposed amendment to the title is to indicate more clearly the subject matter of the text of the bill.

STATEMENT

This legislation will correct an omission in the act of August 15, 1953 (Public Law 286, 83d Cong.), which amended the Penalty Mail Act of 1948 to provide for reimbursement to the Post Office Department of the equivalent amount of postage for official mail sent under the penalty privilege by Government departments, agencies, and independent establishments (except the Post Office Department). The Comptroller General of the United States has ruled that Public Law 286 does not repeal or supersede certain statutes which specifically authorize certain mailings free of postage or registry fees. This legislation, in effect, will extend the reimbursement provisions contained in Public Law 286 to free mailings and registry excluded from the application of Public Law 286 by the Comptroller General's rulings.

The reimbursements to the Post Office Department under this legislation will be made from the respective appropriations or funds available to the Government departments, agencies, and establishments concerned. It is estimated that enactment of this legislation will add approximately \$2,300,000 to the revenues of the Post Office Department.

A discussion of the types of mailings and services within the purview of this legislation and the statutes involved is contained in the section-by-section analysis of the bill.

The official request of the Acting Postmaster General for this legislation and the favorable reports of the Departments of Agriculture, Commerce, Justice, and the Treasury, the Librarian of Congress, and the Comptroller General of the United States, follow:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., April 11, 1955.

HON. SAM RAYBURN,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: There is transmitted herewith, for consideration by the Congress, a draft of proposed legislation to amend the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter," approved August 15, 1953 (67 Stat. 614), and for other purposes.

The act of August 15, 1953 (Public Law 286, 83d Cong., 1st sess.), which would be amended by the proposed legislation, was enacted to provide for the Post Office Department to be reimbursed for the transmission of official Government mail matter, including mailings by the legislative, judicial and executive branches of the Government, with the exception of the mailings made by the Post Office Department. Section 1 of the act, which relates to mailings by all but Members of Congress, provided for the transfer to the Post Office Department, as postal revenue, "the equivalent amount of postage due therefor, as determined pursuant to regulations prescribed by the Postmaster General."

It was the view of this Department that the language of section 1 of the act required the departments and agencies of the Government to reimburse the Post Office Department for registry fees on their mailings. However, the Comptroller General, in decision No. B-118079, dated February 1, 1954, ruled that the various statutes extending free registration privileges to departments and agencies of the Government were not affected by the act of August 15, 1953. Consequently, the Post Office Department still renders free registered mail services to the executive and judicial branches of the Government.

This result, it is believed, was not intended by the Congress since section 2 of the act of August 15, 1953, contains a specific provision under which the Congress appropriates funds, to the postal revenues of this Department, to cover the registry fees on matter mailed by the Members of Congress.

It also was the view of this Department that section 1 of the act of August 15, 1953, required departments and agencies of the Government to reimburse the Post Office Department for the equivalent amount of postage to cover mailings of all "organizations and persons authorized by law to use the penalty privilege" in any way connected with the department or agency concerned. However, the Comptroller General in decision B-118276, dated February 16, 1954, to the Secretary of Agriculture, held as follows:

"For the foregoing reasons, it is concluded that Public Law 286 is inapplicable to the free mailing privileges held by the State Extension Service directors and the State experiment stations, and that no basis exists for the use of appropriations of your Department for reimbursement to the Post Office Department of the cost of mailings by said organizations."

It is proposed to correct the omissions from the act of August 15, 1953, cited above, by requiring that there be paid out of the funds

available to the departments and agencies concerned to the Post Office Department, as postal revenues, of equivalent amounts of postage or registry fees to cover the postage and registry fees on the mailings of all who have authority to mail under the penalty privilege or to transmit official matter by registered mail without the payment of registry fees. Mailings by agricultural experiment stations and colleges under sections 325 and 365 of title 7, United States Code, and section 330 of title 39, United States Code, will be made out of appropriations made therefor to the Department of Agriculture.

The provisions of law embodied in section 321n, title 39, United States Code, require that the head of each independent establishment and executive department (other than the Post Office Department) shall certify to the Postmaster General at the end of each quarter that nothing was transmitted through the mails free of postage in violation of the provisions of the Penalty Mail Act.

Under the provisions of 39 United States Code 321i, the departments and agencies are directed to transfer to postal revenues from their respective appropriations or funds available, the equivalent amount of postage to cover penalty mailings.

That portion of the Penalty Mail Act requiring certifications was for the purpose of effecting a control on the amount of penalty mailings and keep them at a minimum. Since the departments and agencies are now required to pay for their penalty mailings, there appears to be no particular need for such quarterly certifications to the Postmaster General. This requirement should be repealed, and other changes made in the law to conform to the act of August 15, 1953.

It is believed that the legislative proposal transmitted herewith will accomplish the purposes desired, and this Department urges its early enactment.

It is estimated that the enactment of the legislative proposal will add about \$2,300,000 to the revenues of the Post Office Department.

The Bureau of the Budget has advised that there would be no objection to the submission of this legislative proposal to Congress.

Sincerely yours,

CHARLES R. HOOK, Jr.,
Acting Postmaster General.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., April 10, 1956.

Hon. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service,
House of Representatives.*

DEAR CONGRESSMAN MURRAY: The Senate on March 19, 1956 passed S. 871, a bill to amend the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter" approved August 15, 1953 (67 Stat. 614) and for other purposes. The bill has since been referred to your committee for consideration in the House of Representatives.

We wish to invite your attention to an erroneous legal citation in S. 871. On page 3 of the bill, line 23, reference is made to 24 Statutes 441 and 7 United States Code 365. The Congress last year passed Public Law 352, approved August 11, 1955 in order to consolidate the Hatch Act of 1887 and other laws relating to the appropriation of Federal funds for support of the State agricultural experi-

ment stations. S. 1871 should, therefore, be changed to refer to existing legislation and we suggest the following revision. Page 3, lines 18 to 23 should be revised as follows:

"SEC. 4 * * * (1) Section 6 of the Act entitled 'An Act to consolidate the Hatch Act of 1887 and laws supplementary thereto relating to the appropriation of Federal funds for the support of agricultural experiment stations in the States, Alaska, Hawaii, and Puerto Rico,' approved August 11, 1955 (69 Stat. 673; 7 USC 361f);"

It is noted that S. 1871 in section 4 on page 4 provides that the act shall be effective July 1, 1955, the same effective date included in the bill when it was introduced in the 1st session of the 84th Congress, on May 2, 1955. It should also be noted that in the case of mailings by the State experiment stations and the Extension Service State directors, implementation of the bill would entail "appropriations made therefor, to the Department of Agriculture." Information is not available to us at this time about the volume and classes of mail involved in the pending bill. Should S. 1871 be passed by the Congress, we would expect to make a survey in the States to establish the amount of reimbursement to be transferred from this Department to the Post Office Department. Until a survey of current operations can be made, a budget estimate formulated therefrom, and an appropriation made for the specific purpose of meeting the postage expense involved, as provided in the proposed legislation, the Department of Agriculture would not be in a position to pay the Post Office Department. For these reasons we believe the effective date of the legislation should not be retroactive to the beginning of the fiscal year now in progress, but should be fixed at the beginning of the fiscal year following enactment of the bill.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

THE SECRETARY OF COMMERCE,
Washington, D. C., May 24, 1956.

HON. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: This is in reply to your request of April 19, 1956, for the views of the Department with respect to H. R. 9562, a bill to amend the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter," approved August 15, 1953 (67 Stat. 614), and for other purposes.

The Department of Commerce supports the general objective of the proposed legislation provided sufficient funds are made available to defray the cost of postage and registry heretofore covered by the free mailing privilege.

It is recommended that the retroactive provision contained in section 4 of the bill be eliminated since it would appear to serve no useful purpose at this time. Its retention in the bill would, for the most part, require additional funds for the individual agencies to cover the resulting deficiencies for fiscal year 1956. For example, this Department's Bureau of the Census estimates its deficiency under

the retroactive provision of the bill would approximate \$180,000 for fiscal year 1956.

The Bureau of the Budget has advised that it would interpose no objection to the submission of this report to your committee.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

UNITED STATES DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D. C., May 24, 1956.

Hon. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice concerning the bill (H. R. 9562), to amend the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter", approved August 15, 1953 (67 Stat. 614), and for other purposes.

The bill would amend existing law relating to penalty mail so as to require the several departments and agencies of the Government to reimburse the Post Office Department for the amount of the registry fees for mail sent without prepayment of such fees.

Whether the bill should be enacted involves a question of policy concerning which this Department prefers to make no recommendation. It is noted, however, that the bill provides that it shall be effective July 1, 1955. Since funds for this purpose were not provided in the appropriations for the fiscal year 1956 and not contemplated in preparing and presenting our budget for the fiscal year 1957, it is suggested that, a more appropriate effective date be selected.

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely,

WILLIAM P. ROGERS,
Deputy Attorney General.

TREASURY DEPARTMENT,
Washington, May 8, 1956.

Hon. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service,
House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: Reference is made to your letter of April 17, 1956, requesting a statement of this Department's views on H. R. 9562, to amend the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter", approved August 15, 1953 (67 Stat. 614), and for other purposes.

The proposed legislation is intended to close existing loopholes in the act of August 15, 1953, cited above, which discontinued the free mailing privileges. The Treasury Department has a limited interest in the proposed legislation, and its comments are confined to those provisions.

Subsection (1) of section 3 which would be added to the act of August 15, 1953, *supra*, by the proposed legislation would in effect repeal section 3932 of the Revised Statutes (39 U. S. C. 385) which specifically exempts from the payment of registry fees new currency sent by the Treasurer of the United States to replace mutilated or other currency sent in for redemption. It is the practice of the Office of the Treasurer at the present time to issue a check for redemption payment rather than to return fresh new currency. Accordingly, the Department would have no objection to the provision.

Subsection (2) of section 3 which would be added to the act of August 15, 1953, *supra*, by the proposed legislation would in effect repeal the provision specifically exempting Government agencies from the payment of registry fees on official domestic letters or parcels. At the present time, Government agencies are exempt from the payment of registry fees on regular mail but are required to pay registry fees on airmail. The effect of the provision in the proposed legislation would be to require the payment of registry fees in all cases. This Department would have no objection to this provision. However, due to the unusually large volume of new currency shipped by the Treasurer of the United States from Washington to the Federal Reserve banks, its adoption would necessitate the obtaining of approximately \$335,000 annually to pay for registration and surcharges based on present rates.

Section 3 of the bill would amend section 306 of the act of June 25, 1948 (62 Stat. 1049) (39 U. S. C. 321n), to repeal the requirement that the head of each Government agency certify to the Postmaster General at the end of each quarter that nothing was transmitted through the mail free of postage in violation of the provisions of the section. Since all Government agencies are now required to pay postage, no purpose whatever would seem to be served by this quarterly certificate, and it can therefore be repealed.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this report to your committee.

Very truly yours,

W. RANDOLPH BURGESS,
Acting Secretary of the Treasury.

THE LIBRARIAN OF CONGRESS,
Washington, D. C., May 4, 1956.

HON. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service,
House of Representatives, Washington 25, D. C.*

DEAR MR. MURRAY: I have the honor to reply to your letter of April 17, 1956, requesting my comments on section 2 of H. R. 9562, which repeals section 15 of the copyright law (17 U. S. C. sec. 15).

The section proposed to be repealed permits copyright claimants to forward to the Copyright Office without payment of postage the copies of the works required by law to be deposited with the Register of Copyrights. In addition, it provides for the issuance upon request of a receipt by the postmaster to whom the articles are delivered.

I would like to call your attention to the following considerations bearing upon the proposed repeal:

1. This free mailing privilege and the requirement for the issuance of a receipt was first introduced into the law in 1855 (10 Stat. 685). It was presumably introduced in order to facilitate compliance with the statute requiring deposit of copies of copyrighted works in the Smithsonian Institution and the Library of Congress, additional to the copies required to be deposited in the district court of the district where the book was published. The provision has been retained in order to continue this facilitation, although, since 1870, there has been no requirement that any copies be sent elsewhere than to the Library of Congress.

2. The copyright claimant is currently required not only to deposit copies of the work in which he claims copyright, but also to pay a fee for registration (in the case of printed books, for example, the fee is \$4, while the claimant also deposits two copies of the best edition of his work). The revenue from copyright fees amounted in fiscal year 1955 to \$881,017, while the value of materials deposited it accepted for the collections of the Library of Congress was conservatively estimated at \$1,255,707. It may, accordingly, be suggested that relief from payment of postage on copyright deposits has been in recognition of the value of the material deposited. (For example, two sets of an encyclopedic work or of a costly art work might possess very substantial value. The postage on these would represent but a small fraction of the value accruing to the Government through the deposit of the copies.)

3. A recent sampling by the Copyright Office indicates that it receives approximately 50,000 items per year mailed free of postage under the provisions of the act. This number includes not only books and periodicals, but also pamphlets, leaflets, etc. While we have not calculated with any precision the amount of the postage charges which are relieved on these items, it appears to us that this amount would probably not exceed the sum of \$5,000 per year, and in any case would represent a very small portion of the value of the material.

4. The alternative for free postage and issuance of a receipt which is provided by the statute (17 U. S. C. 13) is that articles are to be deposited in the Copyright Office or in the mail addressed to the Register of Copyrights. It is conceivable that unless the provision for issuance of a receipt were retained in the law, depositors might fail to secure such receipts. It is also conceivable that in a certain number of cases the possession or nonpossession of a receipt might importantly affect the nature of the copyright claim.

5. As a final consideration in connection with this matter, I call to your attention that the Copyright Office is currently making basic studies looking to an overall revision of the copyright law, and that an appropriation has been allowed for this purpose. Upon completion of these studies (planned as a 3-year project) recommendations will be presented to the appropriate committees for action involving all provisions of the Copyright Act, including the provision for free mailing. In view of this fact you may feel it desirable to defer action on this provision at the present time.

I note, in passing, that a companion bill containing a similar provision, S. 1871, passed the Senate on March 19, 1956. The committee report makes no reference, however, to the section in question, nor were my views requested in connection therewith.

Sincerely yours,

L. QUINCY MUMFORD,
Librarian of Congress.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, April 30, 1956.

HON. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service,
House of Representatives.*

DEAR MR. CHAIRMAN: Reference is made to your letter of April 17, 1956, acknowledged April 18, requesting our views on H. R. 9562, entitled "A bill to amend the act entitled 'An Act to reimburse the Post Office Department for the transmission of official Government-mail matter,' approved August 15, 1953 (67 Stat. 614), and for other purposes."

One of the objectives of the proposed amendments is to correct certain omissions in the act of August 15, 1953, which were the subject of our decisions B-118079, February 1, 1954 (33 Comp. Gen. 333); B-118276, February 16, 1954 (33 Comp. Gen. 360); and B-119862, October 29, 1954. In those decisions it was held that the act of August 15, 1953, was not broad enough to repeal by implication statutes which provided for (1) free registry mail for departments and establishments of the Government, (2) the dispatch of mail without charge by agricultural experiment stations and colleges, and (3) the dispatch of mail without charge by respondents to Bureau of the Census questionnaires.

The proposed legislation will provide the necessary authority for the payment of registry fees and postage, as postal revenues, to the Post Office Department for mail transmitted under authority of the statutes enumerated therein. Since the purpose is to correct omissions in the act of August 15, 1953, and thereby further reduce the postal deficit, our Office is in complete accord with the general purpose of the bill. It is believed, however, that certain changes hereinafter suggested should be made in the bill.

Section 1, which would add sections 3 and 4 to the act of August 15, 1953, is designed to meet the above-mentioned objective by requiring payment of equivalent amounts for registry fees and postage for matter sent without prepayment under authority of specific statutes enumerated therein. The language of the proposed section 3 does not, however, clearly provide for payment by Federal departments or establishments of equivalent amounts for registry fees and postage in those cases covered by paragraphs (1), (3), and (5), which pertain to matter mailed by non-Federal organizations or persons and addressed to Federal agencies. If it is the intent that all equivalent amounts be paid from Government funds it is suggested that the word "or" be inserted before the word "Government" on line 2, page 2; that the comma after "corporations" and the words "and all other organizations and persons" be deleted from lines 2 and 3, page 2; that "a" be substituted for "the" on line 7, page 2; and the word "concerned" be deleted from lines 8 and 9, page 2. The first paragraph would then read:

"SEC. 3. There shall be paid to the Post Office Department, as postal revenue, out of the respective appropriations or funds available to the departments, agencies, establishments, or Government corporations concerned, the equivalent amount of postage or registry fees, as determined pursuant to regulations prescribed by the Postmaster General for matter sent in the mails without prepayment of postage, or without prepayment of registry fees, by a department, agency, establishment, Government corporation, organization, or person, for

which the Post Office Department otherwise does not receive compensation, under authority of the following laws:"

Section 4, as proposed to be added, would provide for payment to the Post Office Department from appropriations made therefor to the Department of Agriculture, for mail matter sent by agricultural experiment stations and colleges. It is observed that the section would not repeal the statutes listed thereunder which grant the penalty mail privilege, but would provide authority for the payment of equivalent amounts of postage by the Department of Agriculture from appropriations made therefor. Payment would thus be contingent upon an appropriation and the failure to appropriate funds would in no way affect the responsibility of the Post Office Department for the transmittal of mail under the penalty mail privilege. A change in the proposed language of paragraph numbered (1) appears necessary in view of the provisions of the act approved August 11, 1955, 69 Stat. 671, which amended the Hatch Act of March 2, 1887. Provision for the free mailing of bulletins, reports, etc., is now covered by section 6 of the Hatch Act, as amended, and therefore the figure "6" should be substituted for "4" on line 18, page 3 of the bill; a comma and the words "as amended" inserted after "1887" and "361" substituted for "365," both on line 23, page 3.

It is noted that section 4 of the bill provides that the act shall be effective July 1, 1955. Since considerable difficulties would be encountered in applying the proposed legislation retroactively, and a supplemental appropriation would be required particularly with respect to the Department of Agriculture, it is suggested that the date be changed to July 1, 1956.

This report is furnished in triplicate as requested.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

1. *In general*

The purpose of the bill is to correct the effect of omissions in existing law providing for the reimbursement of the Post Office Department for the transmission in the mails of official mail matter of the Federal Government. These omissions now exist against the legislative background outlined below.

The basic general authority under which the respective departments, agencies, and officers of the executive and judicial branches of the Federal Government, and independent establishments of the Federal Government and Government corporations, and also certain establishments in the legislative branch (but excluding Members of Congress and certain others in the legislative branch having the franking privilege) transmit in the mails official Government mail matter is contained in sections 5 and 6 of the act of March 3, 1877 (19 Stat. 335, 336), as supplemented by section 29 of the act of March 3, 1879, as amended (23 Stat. 158; 45 Stat. 469), and by other provisions of law (see, for example, 39 U. S. C., secs 321, 321a, and other similar provisions).

The Penalty Mail Act of 1948, which was enacted as title III of the Second Deficiency Appropriation Act, 1948 (62 Stat. 1048, 1049;

Public Law 785, 80th Cong.), provided, in effect, for a method of procurement, accounting, and reporting, and contained certain restrictions, with respect to the transmission of matter in the mails under the penalty privilege by the respective departments, agencies, and officers of the executive and judicial branches of the Federal Government, by independent establishments of the Federal Government and Government corporations and by certain establishments in the legislative branch (but excluding Members of Congress and certain others in the legislative branch having the franking privilege).

The first section of the act of August 15, 1953 (67 Stat. 614; Public Law 286, 83d Cong.), amended section 301 of the Penalty Mail Act of 1948 to provide, in effect, for the reimbursement of the Post Office Department, on the basis of the accountings required by such section 301 with respect to the transmission of matter in the mails under the penalty privilege (except the mailings by the Post Office Department), of the equivalent amount of postage due the Post Office Department on account of such transmission of mail matter, as determined pursuant to regulations prescribed by the Postmaster General. Such amendment also provided, in effect, that such reimbursement shall be made out of any appropriations or funds available to the departments, agencies, and establishments, and corporations concerned.

A special reimbursement requirement was provided by section 2 of such act of August 15, 1953, with respect to mail matter transmitted and received through the mails under the franking privilege (including registry fees if registration is required) by the Vice President of the United States, Members of Congress (including Members-elect), the Delegates from Alaska and Hawaii (including Delegates-elect), the Resident Commissioner from Puerto Rico, the Secretary of the Senate, and the Clerk of the House of Representatives. Under this requirement, the amount of such postage is reimbursed to the Post Office Department by means of an appropriation for that purpose.

With respect to the reimbursement requirement contained in section 301 of the Penalty Mail Act of 1948, as amended by the first section of the act of August 15, 1953, and applicable to the respective departments, agencies, officers, establishments, and corporations of the Federal Government generally (other than the legislative branch) and also to certain establishments in the legislative branch (but excluding Members of Congress and certain others in the legislative branch having the franking privilege), decisions by the Comptroller General of the United States in several cases involving the language and legislative history of such requirement have disclosed the following omissions.

First, the reimbursement provision of section 301 of the Penalty Mail Act of 1948, as amended by the first section of the act of August 15, 1953, does not repeal the laws providing for free registered mail service for the respective departments, agencies, officers, establishments, and corporations of the Federal Government (33 Comp. Gen. 333). Consequently, the Post Office Department now renders free registered mail service for the respective departments, agencies, and officers in the executive and judicial branches of the Federal Government, for independent establishments and corporations of the Federal Government, and for certain establishments in the legislative branch (excluding Members of Congress and certain others having the franking privilege). The Post Office Department receives reimbursement,

however, for registered mail service rendered to Members of Congress and certain others having the franking privilege because of section 2 of the act of August 15, 1953, which provides that the Post Office Department shall be reimbursed for postage, "including registry fees if registration is required", on mail matter sent and received through the mails under the franking privilege by such Members and other persons.

Second, the reimbursement provision of section 301 of the Penalty Mail Act of 1948, as amended by the first section of the act of August 15, 1953, does not apply with respect to the free mailing privileges provided by law for State agricultural experiment stations and State Extension Service directors (33 Comp. Gen. 360). Therefore, the executive department concerned—the Department of Agriculture—is not authorized, at the present time, to reimburse the Post Office Department, out of appropriations or funds available to the Department of Agriculture, for the cost of the free mailings relating to agricultural extension work under section 6 of the act of March 2, 1887, as amended (69 Stat. 673; 7 U. S. C., sec. 361f), section 3 of the act of August 30, 1890 (26 Stat. 418; 7 U. S. C., sec. 325), and a certain proviso contained in the act of June 30, 1914 (38 Stat. 438; 39 U. S. C., sec. 330).

Third, the reimbursement provision of section 301 of the Penalty Mail Act of 1948, as amended by the first section of the act of August 15, 1953, does not apply with respect to the free transmission in the mails, under authority of section 10 of title 13 of the United States Code, of matter relating to any collection of statistics, any survey, or any census taken by the Department of Commerce or a bureau or agency thereof (B-119862, October 29, 1954). Consequently, the Department of Commerce is not authorized, at the present time, to reimburse the Post Office Department, out of appropriations or funds available to the Department of Commerce, for the cost of the free transmission of such matter under section 10 of title 13 of the United States Code.

In addition to the omissions discussed above, certain other provisions of law indicate the existence of other omissions with respect to the application of the reimbursement provision of section 301 of the Penalty Mail Act of 1948, as amended by the first section of the act of August 15, 1953.

First, section 3932 of the Revised Statutes (39 U. S. C., sec. 385) indicates the existence of authority for the transmission in the mails, without reimbursement to the Post Office Department for registry fees, of letters containing currency of the United States sent by mail to the Treasurer of the United States for redemption.

Second, the two provisos contained in the second sentence of section 306 of the Penalty Mail Act of 1948 as now in effect (62 Stat. 1049; 39 U. S. C., sec. 321n) indicate the existence of authority for the transmission in the mails, without reimbursement to the Post Office Department, of (1) lists of agricultural bulletins, lists of public documents offered for sale by the Superintendent of Documents, Government Printing Office, or of announcements of publications of maps, atlases, and certain statistical and other reports offered for sale by the Federal Power Commission and (2) books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions or public libraries or to Federal, State, or other public authorities.

Third, section 345 of the Immigration and Nationality Act (66 Stat. 266; 8 U. S. C., sec. 1456) indicates the existence of authority for the transmission in the mails, without reimbursement to the Post Office Department for postage and registry fees, of all mail matter relating to naturalization required by law or regulation to be sent to the Immigration and Naturalization Service by clerks of court.

Fourth, section 15 of title 17 of the United States Code indicates the existence of authority for the transmission in the mails of articles to the Register of Copyrights, Library of Congress, without cost to the copyright claimant and without reimbursement to the Post Office Department.

The omissions discussed in this analysis with respect to the application of such reimbursement requirement are, therefore, of the following types:

(1) Omissions with respect to reimbursement of the Post Office Department, out of applicable appropriations or funds available, for registered mail service rendered by the Post Office Department to the Federal Government generally (except Members of Congress and other persons in the legislative branch having the franking privilege with respect to whom reimbursement is made under sec. 2 of the act of August 15, 1953).

(2) Omissions with respect to reimbursement of the Post Office Department, out of applicable appropriations or funds available, of the equivalent amount of postage due on mail matter sent by certain agencies of the Federal Government under specific statutes (for example, under the existing two provisos in the second sentence of sec. 306 of the Penalty Mail Act of 1948).

(3) Omissions with respect to reimbursement of the Post Office Department, out of Federal Government funds, for registered mail service rendered by the Post Office Department to persons and organizations outside the Federal Government authorized by specific statutes to have free registered mail service (for example, in connection with census activities under sec. 10 of title 13 of the United States Code and naturalization processes under sec. 345 of the Immigration and Nationality Act).

(4) Omissions with respect to reimbursement of the Post Office Department, out of Federal Government funds, of the equivalent amount of postage due on mail matter sent by persons and organizations outside the Federal Government authorized by specific statutes to send matter free through the mails—for example, under section 10 of title 13 of the United States Code (census), section 15 title 17 of the United States Code (mailings to Register of Copyrights by copyright claimants), section 345 of the Immigration and Nationality Act (naturalization), and section 6 of the act of March 2, 1887, section 3 of the act of August 30, 1890, and a certain proviso in the act of June 30, 1914 (agricultural extension work).

In order to rectify the omissions herein discussed by providing, in these instances, for the reimbursement of the Post Office Department, out of Federal Government funds, for registered mail service and transmission of mail generally, the bill makes correcting amendments to the Penalty Mail Act of 1948 and the act of August 15, 1953.

2. *Amendment to the Act of August 15, 1953 (67 Stat. 614; Public Law 286, 83d Cong.)*

The first section of the bill amends the act of August 15, 1953, by adding three new sections at the end thereof—sections 3, 4, and 5. It is the purpose of these sections to correct the omissions heretofore discussed.

The new section 3 of the act of August 15, 1953, provides that there shall be paid to the Post Office Department the equivalent amount of postage or registry fees for matter sent in the mails without prepayment of postage or without prepayment of registry fees by or to a department, agency, establishment or Government corporation under authority of certain provisions of law.

These provisions of law, which are listed in the new section 3, are as follows:

(1) Section 3932 of the Revised Statutes (39 U. S. C., sec. 385) which provides for the transmission in the mails, without payment of registry fees, of all letters containing currency of the United States sent by mail to the Treasurer of the United States for redemption and all letters sent by mail by the Treasurer containing new currency for currency redeemed.

(2) The proviso added by section 2 of the act of May 1, 1928 (45 Stat. 469; 39 U. S. C., sec. 321a), to section 29 of the act of March 3, 1879, as amended, which provides for the registration, without payment of registry fees, of official letters and parcels required to be registered "by any executive department or bureau thereof, or independent Government institution, located at Washington, District of Columbia, or by the Public Printer".

(3) Section 10 of title 13 of the United States Code, which provides for the transmission in the mails, free of postage and without payment of registry fees, of matter relating to any collection of statistics, any survey, or any census taken by the Department of Commerce or a bureau or agency thereof.

(4) The second sentence of section 306 of the Penalty Mail Act of 1948 (as amended by sec. 2 (b) of the bill), which provides for (A) the transmission in the mails, as penalty mail, of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions, to public libraries, or to Federal, State, or other public authorities, and (B) the transmission in the mails, as penalty mail, of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Documents, Government Printing Office, or announcements of publications of certain maps, atlases, and statistical and other reports offered for sale by the Federal Power Commission.

(5) Section 345 of the Immigration and Nationality Act (66 Stat. 266; 8 U. S. C., sec. 1456) which provides for the transmission in the mails, free of postage and "if necessary, by registered mail without fee," all mail matter relating to naturalization (including duplicate papers) required by law or regulation to be sent to the Immigration and Naturalization Service by clerks of court.

For the information of the House, the texts of the above-specified provisions of law are set forth in this report as item B of "Matters for the Information of the House".

The new section 3 further provides, in effect, that each equivalent amount of postage or registry fees required to be reimbursed to the

Post Office Department under authority of such section 3 shall be determined pursuant to regulations prescribed by the Postmaster General and, when paid, shall be held and considered to be postal revenue and available for the same purposes as other amounts constituting postal revenue.

It should be noted also that the new section 3 provides that such equivalent amount of postage or registry fees shall be paid out of appropriations or funds available to the department, agency, establishment, or Government corporation concerned and shall be a necessary expense of the appropriations, funds, and activities concerned.

The new section 3 added to the act of August 15, 1953, by the bill as reported by the House committee is, in substance, the same as the new section 3 added to such Act by the bill as passed the Senate. The changes in the language of such section 3 made by the bill as reported by the House committee are of a technical and clarifying nature only.

The new section 4 of the act of August 15, 1953, provides, in effect, that there shall be paid by the Department of Agriculture to the Post Office Department the equivalent amount of postage for matter sent in the mails, without prepayment of postage, in connection with agricultural extension work by State agricultural experiment stations and colleges and others under authority of certain provisions of law.

These provisions of law, which are listed in the new section 4, are as follows:

(1) Section 6 of the act of March 2, 1887, as amended (69 Stat. 673; 7 U. S. C., sec. 361f), which provides that bulletins, reports, periodicals, reprints of articles, and other publications necessary for the dissemination of results of researches and experiments in connection with work of agricultural experiment stations "shall be transmitted in the mails of the United States under penalty indicia".

(2) Section 3 of the act of August 30, 1890 (26 Stat. 418; 7 U. S. C., sec. 325), which provides that copies of certain reports of certain colleges to the Federal Government containing certain statistics and information (including agricultural information) shall be transmitted by mail free to certain other colleges.

(3) A certain proviso contained in the act of June 30, 1914 (38 Stat. 438; 39 U. S. C., sec. 330), which is to the effect that certain correspondence, bulletins, and reports relating to agricultural extension work of colleges "may be transmitted in the mails of the United States free of charge for postage" by such college officer or other person connected with the extension department of any such college as the Secretary of Agriculture may designate to the Postmaster General.

For the information of the House, the texts of the above-mentioned provisions of law are set forth in this report as item B of "Matters for the Information of the House".

The new section 4 further provides, in effect, that the equivalent amount of postage required to be paid to the Post Office Department under authority of such section 4 shall be determined pursuant to regulations prescribed by the Postmaster General and, when paid, shall be held and considered to be postal revenue and available for the same purposes as other amounts constituting postal revenue.

The new section 4 also provides that such equivalent amount of postage shall be paid out of appropriations made to the Department of Agriculture for the purpose of effecting such payment.

tion 2 of the bill to the Penalty Mail Act of 1948. This effective date is July 1, 1956.

Section 4 of the bill as passed the Senate provided an effective date of July 1, 1955.

As previously stated in this report, this change in the effective date is made by the bill as reported by the House committee in order to avoid the occurrence of administrative difficulties in connection with the retroactive application of the provisions of the bill with respect to a past fiscal year (including the need for supplemental appropriations by the Congress for reimbursement purposes) if the effective date of July 1, 1955, were retained.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as passed by the Senate, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

ACT OF AUGUST 15, 1953

(67 Stat. 614; Public Law 286, 83d Cong.)

AN ACT To reimburse the Post Office Department for the transmission of official Government-mail matter

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 301 of the Penalty Mail Act of 1948 (62 Stat. 1048) is amended by the addition of a sentence as follows: "Based on such accountings, there shall be transferred to the Post Office Department as postal revenue, out of any appropriations or funds available to the departments, agencies, and establishments concerned, the equivalent amount of postage due therefor, as determined pursuant to regulations prescribed by the Postmaster General."

SEC. 2. The postage on mail matter sent and received through the mails under the franking privilege by the Vice President, Members, and Members-elect of Congress, the Delegates and Delegates-elect from Alaska and Hawaii, the Resident Commissioner from Puerto Rico, the Secretary of the Senate, and the Clerk of the House of Representatives, including registry fees if registration is required, shall be paid by a lump-sum appropriation to be made to the Post Office Department for that purpose, and the amount of such lump-sum appropriation shall be credited to the Post Office Department as postal revenue.

SEC. 3. *There shall be paid to the Post Office Department, as postal revenue, out of the respective appropriations or funds, available to the departments, agencies, establishments, Government corporations, and all other organizations and persons concerned, the equivalent amount of postage or registry fees, as determined pursuant to regulations prescribed by the Postmaster General for matter sent in the mails without prepayment of postage, or without prepayment of registry fees, by the department, agency, establishment, Government corporation, organization,*

or person concerned, for which the Post Office Department otherwise does not receive compensation, under authority of the following laws:

(1) Section 3932 of the Revised Statutes (39 U. S. C. 385);

(2) That part of section 3 of the Act entitled "An Act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1885, and for other purposes", approved July 5, 1884 (23 Stat. 158), as amended by section 2 of the Act entitled "An Act authorizing the Postmaster General to establish a uniform system of registration of mail matter, and for other purposes", approved May 1, 1928 (45 Stat. 469), and codified in section 321a of title 39, United States Code;

(3) Section 10 of title 13, United States Code (sec. 1, ch. 1158, 68 Stat. 1012, 1014);

(4) The first and second provisos of section 306 of title III of the Act entitled "An Act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes", approved June 25, 1948 (62 Stat. 1049; 39 U. S. C. 321n); and

(5) Section 345 of the Act entitled "An Act to revise the laws relating to immigration, naturalization, and nationality; and for other purposes", approved June 27, 1952 (66 Stat. 266; 8 U. S. C. 1456).

Such payments shall be regarded as a necessary expense of the respective appropriations and activities.

SEC. 4. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made therefor, to the Department of Agriculture, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General for matter sent in the mails without prepayment of postage pursuant to the following laws:

(1) Section 4 of the Act entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an Act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto", approved March 2, 1887 (24 Stat. 441; 7 U. S. C. 365);

(2) Section 3 of the Act entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an Act of Congress approved July second eighteen hundred and sixty-two", approved August 30, 1890 (26 Stat. 418; 7 U. S. C. 325); and

(3) The proviso in the third paragraph under "General Expenses, Offices of Experiment Stations" in the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915", approved June 30, 1914 (38 Stat. 438; 39 U. S. C. 330).

SECTION 15 OF TITLE 17 OF THE UNITED STATES CODE

【§ 15. Same; postmaster's receipt; transmission by mail without cost.

【The postmaster to whom are delivered the articles deposited as provided in sections 12 and 13 of this title shall, if requested, give a receipt therefor and shall mail them to their destination without cost to the copyright claimant. (July 30, 1947, ch. 391, § 1, 61 Stat. 652)】.

SECTION 306 OF THE PENALTY MAIL ACT OF 1948

(62 Stat. 1049; 39 U. S. C., sec. 321n)

SEC. 306. No executive department or independent establishment of the Government shall transmit through the mail, [free of postage] *as penalty mail*, any book, report, periodical, bulletin, pamphlet, list, or other article or document (except official letter correspondence, including such enclosures as are reasonably related to the subject matter of the correspondence; informational releases in connection with the decennial census of the United States, mail concerning the sale of Government securities, and all forms and blanks and copies of statutes, rules, regulations, and instructions and administrative orders and interpretations necessary in the administration of such departments and establishments), unless a request therefor has been previously received by such department or independent establishment; or such transmission is required by law; or such document is transmitted to inform the recipient thereof of the adoption, amendment, or interpretation of a statute, rule, regulations, or order to which he is subject. [The head of each independent establishment and executive department (other than the Post Office Department) shall certify to the Postmaster General at the end of each quarter that nothing was transmitted through the mail free of postage by the independent establishment or department in violation of the provisions of this section: *Provided, That*] nothing herein shall be construed to prohibit the mailing [free of postage] *as penalty mail* of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Public Documents, or of announcements of publications of maps, atlases, statistical, and other reports offered for sale by the Federal Power Commission as authorized by section 825k of title 16 U. S. C.: *Provided further, That* this prohibition shall not apply to the transmission of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions or public libraries, or to Federal, State, or other public authorities.

MATTERS FOR THE INFORMATION OF THE HOUSE

A. For the information of the House, changes in existing law made by the bill, as reported by the House committee, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

ACT OF AUGUST 15, 1953

(67 Stat. 614; Public Law 286, 83d Cong.)

AN ACT To reimburse the Post Office Department for the transmission of official Government-mail matter

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 301 of the Penalty Mail Act of 1948 (62 Stat. 1048) is amended by the addition of a sentence as follows: "Based on such accountings, there shall be transferred to the Post Office Department as postal revenue, out of

any appropriations or funds available to the departments, agencies, and establishments concerned, the equivalent amount of postage due therefor, as determined pursuant to regulations prescribed by the Postmaster General."

SEC. 2. The postage on mail matter sent and received through the mails under the franking privilege by the Vice President, Members, and Members-elect of Congress, the Delegates and Delegates-elect from Alaska and Hawaii, the Resident Commissioner from Puerto Rico, the Secretary of the Senate, and the Clerk of the House of Representatives, including registry fees if registration is required, shall be paid by a lump-sum appropriation to be made to the Post Office Department for that purpose, and the amount of such lump-sum appropriation shall be credited to the Post Office Department as postal revenue.

SEC. 3. *There shall be paid to the Post Office Department, as postal revenue, out of any appropriations or funds available to each department, agency, establishment, or Government corporation concerned and as a necessary expense of such appropriations and funds and of the activities concerned, the equivalent amount of postage or registry fees, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails, without prepayment of postage or without prepayment of registry fees, by or to such department, agency, establishment, or corporation, for which the Post Office Department does not otherwise receive compensation, under authority of the following provisions of law:*

(1) *Section 3932 of the Revised Statutes (39 U. S. C., sec. 385);*

(2) *The proviso added by section 2 of the Act of May 1, 1928 (45 Stat. 469; 39 U. S. C., sec. 321a), to section 29 of the Act of March 3, 1879, as amended (20 Stat. 362; 23 Stat. 158; 28 Stat. 412; 29 Stat. 590);*

(3) *Section 10 of title 13 of the United States Code;*

(4) *The second sentence of section 306 of the Penalty Mail Act of 1948 (62 Stat. 1049; 39 U. S. C., sec. 321n); and*

(5) *Section 345 of the Immigration and Nationality Act (66 Stat. 266; 8 U. S. C., sec. 1456).*

SEC. 4. *There shall be paid to the Post Office Department, as postal revenue, out of appropriations made to the Department of Agriculture for such purpose, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails without prepayment of postage under authority of the following provisions of law:*

(1) *Section 6 of the Act entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto", approved March 2, 1887, as amended (69 Stat. 673; 7 U. S. C., sec. 361f);*

(2) *Section 3 of the Act entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an Act of Congress approved July second, eighteen hundred and sixty-two", approved August 30, 1890 (26 Stat. 418; 7 U. S. C., sec. 325); and*

(3) *The proviso contained in the third paragraph under the heading "General Expenses, Office of Experiment Stations" under the caption "Office of Experiment Stations" in the Act entitled "An Act making*

appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and fifteen", approved June 30, 1914 (38 Stat. 438; 39 U. S. C., sec. 330).

SEC. 5. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made to the Library of Congress, for such purpose, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails without prepayment of postage under authority of section 15 of title 17 of the United States Code.

SECTION 306 OF THE PENALTY MAIL ACT OF 1948

(62 Stat. 1049; 39 U. S. C., sec. 321n)

SEC. 306. No executive department or independent establishment of the Government shall transmit through the mail [, free of postage,] as *penalty mail* any book, report, periodical, bulletin, pamphlet, list, or other article or document (except official letter correspondence, including such enclosures as are reasonably related to the subject matter of the correspondence; informational releases in connection with the decennial census of the United States, mail concerning the sale of Government securities, and all forms and blanks and copies of statutes, rules, regulations, and instructions and administrative orders and interpretations necessary in the administration of such departments and establishments), unless a request therefor has been previously received by such department or independent establishment; or such transmission is required by law; or such document is transmitted to inform the recipient thereof of the adoption, amendment, or interpretation of a statute, rule, regulation, or order to which he is subject. [The head of each independent establishment and executive department (other than the Post Office Department) shall certify to the Postmaster General at the end of each quarter that nothing was transmitted through the mail free of postage by the independent establishment or department in violation of the provisions of this section: *Provided*, That nothing herein shall be construed to prohibit the mailing free of postage of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Public Documents, or of announcements of publications of maps, atlases, statistical, and other reports offered for sale by the Federal Power Commission as authorized by section 825k of title 16 U. S. C.: *Provided further*, That this prohibition shall not apply to the transmission of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions or public libraries, or to Federal, State, or other public authorities.] *Nothing contained in this section shall be construed to prohibit (1) the transmission in the mail, as penalty mail, of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions, to public libraries, or to Federal, State, or other public authorities and (2) the transmission in the mail, as penalty mail, of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Documents, Government Printing Office, or announcements of publications of maps, atlases, and statistical and other reports offered for sale by the Federal Power Commission under authority of section 312 of the Federal Power Act (16 U. S. C., sec. 825k).*

B. For the information of the House, the provisions of law referred to in the amendments made by the bill, as reported by the House committee, are set forth below:

SECTION 3932 OF THE REVISED STATUTES

(39 U. S. C., sec. 385)

SEC. 3932. Under such regulations as the Postmaster-General may prescribe, all postmasters are authorized to register in the manner prescribed by law, but without payment of any registration fee, all letters containing fractional or other currency of the United States, which shall be by them sent by mail to the Treasurer of the United States for redemption; and the postmaster at the city of Washington, in the District of Columbia, shall register, in like manner, without charge, all letters containing new currency returned for currency redeemed, which shall be received by him from the Treasurer, in sealed packages, marked with the word "register" over the official signature of the said Treasurer.

PROVISO ADDED BY SECTION 2 OF THE ACT OF MAY 1, 1928 (45 STAT. 469; 39 U. S. C., SEC. 321A), TO SECTION 29 OF THE ACT OF MARCH 3, 1879, AS AMENDED

* * *: *Provided further*, That any official domestic letter or parcel to be registered by any executive department or bureau thereof, or independent Government institution, located at Washington, District of Columbia, or by the Public Printer, which requires registration may be registered without the payment of any registry fee.

SECTION 10 OF TITLE 13 OF THE UNITED STATES CODE

§ 10. Mail matter.

The Post Office Department shall transmit free of postage, and by registered mail if necessary, and so marked, all mail matter, of whatever class or weight, relating to any collection of statistics, survey, or census provided for by this title and addressed to the Department of Commerce or to any bureau or agency thereof authorized by the Secretary to make such collection or survey or to take such census, or addressed to any official thereof, and endorsed "Official business", followed by the name of such Department, bureau, or agency, as the case may be. (Aug. 31, 1954, ch. 1158, § 1, 68 Stat. 1014.)

SECTION 345 OF THE IMMIGRATION AND NATIONALITY ACT (66 STAT. 266; 8 U. S. C., SEC. 1456)

MAIL RELATING TO NATURALIZATION TRANSMITTED FREE OF POSTAGE
AND REGISTERED

SEC. 345. All mail matter of whatever class, relating to naturalization, including duplicate papers required by law or regulation to be sent to the Service by clerks of courts addressed to the Department of

Justice or the Service, or any official thereof, and endorsed "Official Business", shall be transmitted free of postage and, if necessary, by registered mail without fee, and so marked.

SECTION 6 OF ACT OF MARCH 2, 1887, AS AMENDED

(69 Stat. 673; 7 U. S. C., sec. 361f)

SEC. 6. Bulletins, reports, periodicals, reprints of articles, and other publications necessary for the dissemination of results of the researches and experiments, including lists of publications available for distribution by the experiment stations, shall be transmitted in the mails of the United States under penalty indicia: *Provided, however,* That each publication shall bear such indicia as are prescribed by the Postmaster General and shall be mailed under such regulations as the Postmaster General may from time to time prescribe. Such publications may be mailed from the principal place of business of the station or from an established subunit of said station.

SECTION 3 OF THE ACT OF AUGUST 30, 1890

(26 Stat. 418; 7 U. S. C., sec. 325)

SEC. 3. That if any portion of the moneys received by the designated officer of the State or Territory for the further and more complete endowment, support, and maintenance of colleges, or of institutions for colored students, as provided in this act, shall, by any action or contingency, be diminished or lost, or be misapplied, it shall be replaced by the State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings. An annual report by the president of each of said colleges shall be made to the Secretary of Agriculture, as well as to the Secretary of the Interior, regarding the condition and progress of each college, including statistical information in relation to its receipts and expenditures, its library, the number of its students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to said colleges, with their cost and results, and such other industrial and economical statistics as may be regarded as useful, one copy of which shall be transmitted by mail free to all other colleges further endowed under this act.

PROVISO CONTAINED IN THIRD PARAGRAPH UNDER HEADING "GENERAL EXPENSES, OFFICE OF EXPERIMENT STATIONS" UNDER CAPTION "OFFICE OF EXPERIMENT STATIONS" IN THE ACT OF JUNE 30, 1914

(38 Stat. 438; 39 U. S. C., sec. 330)

* * *: *Provided*, That all correspondence, bulletins, and reports for the furtherance of the purposes of the Act approved May eighth, nineteen hundred and fourteen, entitled "An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an Act of Congress approved July second, eighteen hundred and sixty-two, and the Acts supplementary thereto, and the United States Department of Agriculture", may be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General, from time to time, may prescribe, by such college officer or other person connected with the extension department of such college as the Secretary of Agriculture may designate to the Postmaster General; * * *

SECTION 15 OF TITLE 17 OF THE UNITED STATES CODE

§ 15. Same; postmaster's receipt; transmission by mail without cost.

The postmaster to whom are delivered the articles deposited as provided in sections 12 and 13 of this title shall, if requested, give a receipt therefor and shall mail them to their destination without cost to the copyright claimant. (July 30, 1947, ch. 391, § 1, 61 Stat. 652.)

C. For the information of the House, the decisions of the Comptroller General referred to in the section-by-section analysis of the bill, as reported, are set forth below.

DECISIONS OF THE COMPTROLLER GENERAL OF THE UNITED STATES

(33 Comp. Gen. 333)

[B-118079]

Appropriations—Availability—Registry Fees on Official Domestic Letters and Parcels—Post Office Department—Registered Mail Cost Reimbursement

The laws which provide for free registry service for the Government agencies in Washington, D. C., have not been repealed by the act of August 15, 1953, which amended the Penalty Mail Act of 1948, by requiring agencies to reimburse the Post Office Department the equivalent of postage on penalty mail, nor by section 12 of the act of October 30, 1951, which authorized the Postmaster General to prescribe by regulation the fees to be charged for registry of mail matter, and therefore agency appropriations are not available for the payment of registry fees on such mail.

Comptroller General Warren to the Postmaster General, February 1, 1954

Further reference is made to the letter of the Assistant Secretary of State to this Office dated December 17, 1953, upon which you furnished an expression of your views under date of January 13, 1954, with respect to the applicability of Public Law 286, 83d Congress

(67 Stat. 614), to registry fees on official domestic letters and parcels mailed at Washington, D. C.

Section 1 of Public Law 286, amending the Penalty Mail Act of 1948 (39 U. S. C. 321i) authorizes the transfer of amounts equivalent to postage on penalty mail from any appropriations or funds available to the departments, agencies and establishments of the Government to the Post Office Department for credit to postal revenues, based on the accountings required by 39 U. S. C. 321i.

It is the view of your Department that the departments and agencies of the Government—which previously were entitled to free registration of official mail under 89 U. S. C. 321a; *id.* 337; 8 U. S. C. 743, and other similar statutes—must now pay to the Post Office Department the prescribed registry fees. However, upon careful and thorough consideration of the entire matter, and with due regard to the contentions and views advanced in your letter of January 13, 1954, it is my opinion that the various statutes extending free registration privileges still remain in full force and effect.

It is contended in said letter of January 13, that, since section 2 of Public Law 286 requires that postage on franked official mail of members and officials of the Congress, including registry fees if registration is required, be paid by a lump-sum appropriation for credit to postal revenues, it is not likely that the Congress intended to impose a lesser obligation on the various departments and agencies. The letter recognizes that section 1 of the act provides expressly for the recovery of *postage* only on official mail, without any mention of registry fees. Also, it is recognized that there is no objective evidence in the legislative history of the law as to the reason for the omission. However, in such connection the following argument is presented:

“One very good reason for not expressly including registry fees in that section would be that section 12, title I, of the act of October 30, 1951 (39 U. S. C. 246f) authorized the Postmaster General to prescribe the fees which shall be charged for the registry of mail matter. Title 39 U. S. C. 321a and 337, 8 U. S. C. 743 and similar laws are laws governing fees for the registry service. They could, therefore, be superseded by regulations issued by the Postmaster General. Thus, it was unnecessary to include specific provision for the recovery of such fees. On the other hand, since Members of Congress did not previously enjoy the privilege of free registration, Congress covered such fees in section 2 of Public Law 286 by providing they should be included in the lump-sum appropriation provided therein.

“If originally there was any doubt as to the Department’s authority to prescribe under 39 U. S. C. 246f fees for registered mailings covered by such laws as are cited above, that doubt would be removed by Congress’ action in enacting Public Law 286 in contemplation thereof.”

Section 12 of the act of October 30, 1951 (65 Stat. 676), provides in pertinent part, as follows:

“SEC. 12. (a) The Postmaster General is authorized to prescribe by regulation from time to time the fees which shall be charged by the postal service—

“(1) for the registry of mail matter:

* * * * *

“(b) Regulations issued by the Postmaster General under subsection (a) shall, to the extent prescribed therein, supersede existing laws, regulations, and orders governing the fees for the services covered thereby.”

There is nothing in said section nor does there appear to be any other provision in said public law expressly repealing or providing specifically for the subsequent repeal of the laws providing free registry service for the establishments and departments in Washington. It is well settled, of course, that repeals by implication will not be presumed to have been intended unless there is a clear intent on the part of the legislature to effect such a repeal. There must be, in fact, a positive repugnance between the new statute and the old. See *United States v. Borden Company* (308 U. S. 187). Nothing has been found in the legislative history of the act of October 30, 1951, indicating in any way an intention on the part of Congress that the free registration statutes were to come within the purview of section 12 (b) or that such statutes were even considered in connection with the enactment of such section. Rather, the authority granted therein to fix registry fees by regulation appears to pertain to situations where the payment of some registry fee otherwise was required by law. Moreover, it cannot be concluded that there is any repugnance between the authority granted in section 12 (b) and the existence of the free registry privilege between departments and agencies, since the right of the departments and agencies to the free registry service has existed for years alongside the obligation of other users of the mail to pay the registry service fees. Furthermore, there has been noted the provisions of section 13 of the referred-to act of October 30, 1951, which established the Joint Committee of the Postal Service for the purpose of making a study and investigation of, among other things, the expenditures for postal services being performed for other departments and agencies of the Government but which were being charged to the Post Office Department. By Senate Resolution approved March 6, 1953, such studies and investigation were continued and there is now pending Senate Resolution 197, 83d Congress, for the continuation of such studies up to March 30, 1954. For the foregoing reasons, it cannot be concluded that Congress has authorized the payment of registry fees by departments and establishments pursuant to regulations of the Post Office Department where free registry service has existed under prior laws. Therefore, I am constrained to hold that, in the absence of further legislation, the appropriations of the State Department are not available for the payment of registry fees on domestic mails and parcels mailed in Washington, D. C.

A copy of this decision is being furnished to the Secretary of State for the guidance of his Department.

(33 Comp. Gen. 360)

[B-118276]

POST OFFICE DEPARTMENT—MAILS—PENALTY MAIL COSTS

The act of Aug. 15, 1953, which amended the Penalty Mail Act of 1948 by requiring only departments, agencies, and establishments of the Government to reimburse the Post Office Department with an equivalent amount of postage due therefor, is not applicable to State Agricultural Experiment Stations and State Extension Directors, so that the free mailing privileges authorized for such organizations by the acts of March 2, 1887, and June 30, 1914, are not affected by the act of Aug. 15, 1953, and therefore the Department of Agriculture appropriations for the Extension Service are not available to reimburse the Post Office Department for the cost of mail.

Comptroller General Warren to the Secretary of Agriculture, February 16, 1954:

Reference is made to letter dated January 7, 1954, from the Assistant Secretary of Agriculture, requesting a decision as to the applicability of Public Law 286, 83d Congress (67 Stat. 614), to the free mailing privileges held by State Extension Service Directors under the act of June 30, 1914 (38 Stat. 438; 39 U. S. C. 330), and by State Experiment Stations under section 4 of the act of March 2, 1887 (24 Stat. 441; 7 U. S. C. 365). There was enclosed with the said letter, a copy of letter of October 29, 1953, from Mr. Charles R. Hook, Jr., Acting Postmaster General, to the Assistant Secretary of Agriculture, in which the view is expressed that even though the free mailing privileges in question were extended to the State organizations, the Department of Agriculture is the department concerned within the meaning of Public Law 286 and as such should reimburse the Post Office Department from its appropriations for such mailings.

Section 301 of the Penalty Mail Act of 1948 (62 Stat. 1048) provides:

"All envelopes, labels, wrappers, cards, and other articles, bearing the indicia prescribed by law for matter mailed free of postage under the penalty privilege by all executive departments and agencies, all independent establishments of the Government, and all other organizations and persons authorized by law to use the penalty privilege, shall be procured or accounted for through the Postmaster General under such regulations as he shall prescribe. The head of each such department, agency, establishment, or other organization, or each such person, shall submit to the Postmaster General within sixty days after the close of each fiscal year a statement showing the number of envelopes, labels, wrappers, cards, and other articles bearing such indicia on hand at the close of such fiscal year."

Public Law 286 amended said section 301 by the addition of the following sentence:

"Based on such accountings, there shall be transferred to the Post Office Department as postal revenue, out of any appropriation or funds available to the departments, agencies, and establishments concerned, the equivalent amount of postage due therefor, as determined pursuant to regulations prescribed by the Postmaster General."

It is stated in the letter of the Assistant Secretary that the State organizations here involved comply with the inventory requirements of section 301 directed to the "head of each such department, agency, establishment, or other organization, or each such person." However,

inasmuch as the new sentence as added by Public Law 286 requires transfer of equivalent amount of postage only in the case of "departments, agencies, and establishments concerned," it is stated to be the view of your department that the State Agricultural Experiment Stations and State Extension Service Directors fall into the category of "all other organizations and persons," and are not included within the scope of Public Law 286.

The authority to mail free of charge for postage correspondence, reports, and bulletins relating to Agricultural Extension Work was granted under the provisions of 39 U. S. C. 330 to the college officer or other person connected with extension departments of agricultural colleges as the Secretary of Agriculture may designate, and by 7 U. S. C. 365 to State agricultural experiment stations. These organizations, while financed in part by Federal payments to States, are State organizations and as such must be considered "other organizations and persons," as used in the first and second sentences of section 301 of the Penalty Mail Act of 1948. Since the new sentence, as added by Public Law 286, is by its terms directed only to "departments, agencies, and establishments" which are more fully designated in the first sentence of section 301 as executive departments and agencies and independent establishments of the Government, reimbursement for the cost of mail authorized to be sent free of charge of postage is not required with respect to the aforementioned State organizations. It therefore follows, since reimbursement for such mailings is not required by Public Law 286, that appropriations of the Department of Agriculture may not be used to reimburse the Post Office Department for the cost thereof.

There has not been overlooked the original draft of H. R. 6281 (now Public Law 286) which contained language specifically repealing the sections of the act of June 30, 1914, and the act of March 2, 1887, here in question. However, H. R. 6281 as reported out by the House Committee on Post Office and Civil Service, Report No. 1004, and as enacted, did not contain those repealing provisions and it is well settled that repeals by implication will not be presumed to have been intended unless there is a clear intent on the part of the legislative to effect such a repeal. No such intent to repeal the free mailing privileges here involved is evident but conversely it appears that the intent to require reimbursement was to extend only to Federal departments, agencies, and establishments. This intent is indicated in the aforementioned Report 1004, wherein it is stated that the language "in effect requires all Government departments, agencies, and establishments (including Government corporations) to reimburse the Post Office Department in amounts equivalent to the amount of postage on their penalty mail."

For the foregoing reasons, it is concluded that Public Law 286 is inapplicable to the free mailing privileges held by the State Extensions Service Directors and the State Experiment Stations, and that no basis exists for the use of appropriations of your Department for reimbursement to the Post Office Department of the cost of mailings by said organizations.

A copy of this decision is being forwarded today to the Postmaster General in view of his interest in the matter.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, October 29, 1954.

The honorable the SECRETARY OF COMMERCE.

DEAR MR. SECRETARY: Reference is made to your letter of April 23, 1954, requesting a decision on certain questions contained in a memorandum prepared by the Director of the Bureau of the Census, concerning the applicability of the Penalty Mail Act of 1948, Public Law 785, approved June 25, 1948 (62 Stat. 1048), as amended by Public Law 286, approved August 15, 1953 (67 Stat. 614), to mail matter of the census referred to in section 14 of the act of June 18, 1929, Public, No. 13 (46 Stat. 25), as amended by section 7 of the act of June 25, 1948, Public Law 772 (62 Stat. 860).

It is stated in the memorandum that it is realized that any mail sent by the Bureau of the Census comes within the scope of the Penalty Mail Act of 1948, as amended, which requires that there shall be transferred to the Post Office Department, as postal revenue, the equivalent amount of postage due on penalty mail. However, it is stated to be the belief that mail sent to the Bureau or an official thereof is excluded from the foregoing statutes by virtue of section 14 of the act of June 18, 1929, as amended. This latter conclusion would permit the return, without cost to the Bureau of questionnaires sent to respondent and returned in pre-addressed envelopes furnished for that purpose.

The following specific questions are submitted for decision:

(1) Does not section 14 of the cited act of June 18, 1929, as amended, exclude the mail matter referred to therein from the provisions of the Penalty Mail Act of 1948?

(2) Would not respondents replying to questionnaires be considered "persons" as that term is used in the Penalty Mail Act of 1948 and, therefore, not required to reimburse the Post Office Department, and if so, may the Bureau of Census act as the agent for each respondent in procuring such envelopes which are enclosed with the questionnaire?

(3) Is the 4-pound restriction as to weight contained in the act of May 18, 1916 (39 Stat. 162), and reenacted by the Penalty Mail Act of 1948, applicable to the mail referred to in section 14 of the cited act of June 18, 1929, as amended?

It informally is understood that questions 1 and 2 relate to the return of questionnaires in preaddressed envelopes furnished by the Bureau for that purpose and the questions are considered on that basis.

Section 14 of the act of June 18, 1929 (46 Stat. 25), provides, as follows:

"That all mail matter, of whatever class or weight, relating to the census and addressed to the Census Office, or to any official thereof, and indorsed 'Official business, Census Office,' shall be transmitted free of postage, and by registered mail if necessary, and so marked: *Provided*, That if any person shall make use of such indorsement to avoid the payment of postage or registry fee on his or her private letter, package, or other matter in the mail, the person so offending shall be guilty of a misdemeanor and subject to a fine of \$300, to be prosecuted in any court of competent jurisdiction."

This provision of law specifically states that *all* mail matter relating to the census and addressed to the Census Office shall be transmitted free of postage. While questionnaires may not have been used or contemplated at the time of enactment of the provision, such,

clear, unambiguous, and all-inclusive language must be construed as including such mail matter sent to the Bureau of Census by respondents replying to questionnaires since nothing has been found in its legislative history indicating any intent that its operation should be restricted within narrower limits than its words import.

Section 301 of the Penalty Mail Act of 1948 (62 Stat. 1048), as amended by Public Law 286, 83d Congress (67 Stat. 614), provides:

"All envelopes, labels, wrappers, cards, and other articles, bearing the indicia prescribed by law for matter mailed free of postage under the penalty privilege by all executive departments and agencies, all independent establishments of the Government, and all other organizations and persons authorized by law to use the penalty privilege, shall be procured or accounted for through the Postmaster General under such regulations as he shall prescribe. The head of each such department, agency, establishment, or other organization, or each such person, shall submit to the Postmaster General within sixty days after the close of each fiscal year a statement showing the number of envelopes, labels, wrappers, cards, and other articles bearing such indicia on hand at the close of such fiscal year. Based on such accountings, there shall be transferred to the Post Office Department as postal revenue, out of any appropriations or funds available to the departments, agencies, and establishments concerned, the equivalent amount of postage due therefor, as determined pursuant to regulations prescribed by the Postmaster General."

This section 301, as amended, requires the payment of an equivalent amount of postage in the case of "departments, agencies, and establishments concerned." However, it does not require such payment in the case of other organizations and persons authorized by law to use the penalty privilege (33 Comp. Gen. 360). Since these questionnaires are entitled to be returned to the Bureau under the free mailing privilege of section 14 of the act of June 18, 1929, respondents returning the questionnaires are "organizations and persons" within the meaning of that term as used in section 301 of the Penalty Mail Act of 1948. Whether the Bureau of the Census may act as the agent for each respondent in procuring or accounting for the envelopes used in returning the questionnaires, as suggested in the second question, is for determination by the Postmaster General.

The limitation of 4 pounds on matter admitted to the mails under the penalty privilege was first imposed by section 11 of the act of May 18, 1916 (39 Stat. 162), with certain exceptions including penalty mail originating in Washington, D. C., but specific exemption therefrom was granted to certain census mail by section 29 of the act of March 3, 1919 (40 Stat. 1291, 1301), and again by section 14 of the 1929 act. However, the act of June 28, 1944, Public Law 364 (58 Stat. 394), provided a new general limitation of 4 pounds on matter admitted to the mails under the penalty privilege, which limitation was reenacted in the Penalty Mail Act of 1948. The primary purpose of that limitation was to remove the illogical weight distinction between penalty mail originating in Washington, D. C. (70 pounds), and elsewhere (4 pounds), but it also seems to have been intended that the effect of this limitation would make the 4-pound limitation applicable to all penalty mail. While the 1944 act specifically excepted only the War and Navy Departments for the duration of the war and 6 months thereafter, even this exception was not continued in the

1948 act. The 1944 act was an adoption of the recommendations of the Joint Committee on Reduction of Nonessential Federal Expenditures contained in Senate Document No. 147, 78th Congress, 2d session, almost in their entirety. It is stated in that Senate Document that "All departments and agencies, except the War and Navy Departments, the Selective Service System, and the Treasury Department, should be restricted to a 4-pound penalty mail weight limit both in Washington, D. C., and in the field, and should be required to pay postage to the Post Office Department for official mail weighing in excess of 4 pounds, or be required to ship the material by common carrier, freight or express—whichever is the most economical." Also, considering that the purpose of the Penalty Mail Acts of 1944 and 1948 was to establish a method of control over all penalty mail the exemption to the weight limitation contained in section 14 of the 1929 act must be regarded as having been intended to be repealed and it is so held. This conclusion is not affected by the fact that section 14 was reenacted with an amendment as a part of title 18 of the United States Code by section 7 of Public Law 772 (62 Stat. 860). The sole purpose of its reenactment was to repeal the penal provision contained in the proviso and its reenactment has no other effect. Section 14 of the 1929 act remains in force as modified by the Penalty Mail Act of 1948 under the following rule of statutory construction set out in 82 C. J. S. Statutes, section 295:

"Insofar as a later law is merely a reenactment of an earlier one, it will not repeal an intermediate act which qualifies or limits the first one, but such intermediate act will be deemed to remain in force, and to qualify or modify the new act in the same manner as it did the first."

Your questions are answered accordingly.

Sincerely yours,

FRANK H. WEITZEL,
Acting Comptroller General of the United States.

○

84TH CONGRESS
2D SESSION

S. 1871

[Report No. 2421]

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 1956

Referred to the Committee on Post Office and Civil Service

JUNE 25, 1956

Reported with an amendment, committed to the Committee of the Whole House
on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To amend the Act entitled "An Act to reimburse the Post Office Department for the transmission of official Government-mail matter", approved August 15, 1953 (67 Stat. 614), and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act entitled "An Act to reimburse the Post Office
4 Department for the transmission of official Government-mail
5 matter", approved August 15, 1953 (67 Stat. 614), is
6 amended by the addition of sections 3 and 4 to read as
7 follows:

8 "SEC. 3. There shall be paid to the Post Office Depart-
9 ment, as postal revenue, out of the respective appropriations

1 or funds available to the departments, agencies, establish-
 2 ments, Government corporations, and all other organizations
 3 and persons concerned, the equivalent amount of postage or
 4 registry fees, as determined pursuant to regulations pre-
 5 scribed by the Postmaster General for matter sent in the
 6 mails without prepayment of postage, or without prepay-
 7 ment of registry fees, by the department, agency, establish-
 8 ment, Government corporation, organization, or person con-
 9 cerned, for which the Post Office Department otherwise does
 10 not receive compensation, under authority of the following
 11 laws:

12 “(1) Section 3932 of the Revised Statutes (39
 13 U. S. C. 385);

14 “(2) That part of section 3 of the Act entitled ‘An Act
 15 making appropriations for the service of the Post Office
 16 Department for the fiscal year ending June 30, 1885, and
 17 for other purposes’, approved July 5, 1884 (23 Stat. 158),
 18 as amended by section 2 of the Act entitled ‘An Act author-
 19 izing the Postmaster General to establish a uniform system
 20 of registration of mail matter, and for other purposes’,
 21 approved May 1, 1928 (45 Stat. 469), and codified in sec-
 22 tion 321a of title 39, United States Code;

23 “(3) Section 10 of title 13, United States Code (sec.
 24 1, ch. 1158, 68 Stat. 1012, 1014);

25 “(4) The first and second provisos of section 306 of title

1 III of the Act entitled 'An Act making appropriations to
2 supply deficiencies in certain appropriations for the fiscal
3 year ending June 30, 1948, and for other purposes',
4 approved June 25, 1948 (62 Stat. 1049; 39 U. S. C. 321n);
5 and

6 "~~(5)~~ Section 345 of the Act entitled 'An Act to revise
7 the laws relating to immigration, naturalization, and nation-
8 ality; and for other purposes', approved June 27, 1952
9 (66 Stat. 266; 8 U. S. C. 1456).

10 "Such payments shall be regarded as a necessary ex-
11 pense of the respective appropriations and activities.

12 "SEC. 4. There shall be paid to the Post Office Depart-
13 ment, as postal revenue, out of appropriations made therefor,
14 to the Department of Agriculture, the equivalent amount of
15 postage, as determined pursuant to regulations prescribed by
16 the Postmaster General for matter sent in the mails without
17 prepayment of postage pursuant to the following laws:

18 "~~(1)~~ Section 4- of the Act entitled 'An Act to establish
19 agricultural experiment stations in connection with the col-
20 leges established in the several States under the provisions
21 of an Act approved July second, eighteen hundred and sixty-
22 two, and of the acts supplementary thereto', approved March
23 2, 1887 (24 Stat. 441; 7 U. S. C. 365);

24 "~~(2)~~ Section 3 of the Act entitled 'An Act to apply a
25 portion of the proceeds of the public lands to the more

1 complete endowment and support of the colleges for the
 2 benefit of agriculture and the mechanic arts established under
 3 the provisions of an Act of Congress approved July second,
 4 eighteen hundred and sixty-two², approved August 30, 1890
 5 (26 Stat. 418; 7 U. S. C. 325); and

6 “(3) The proviso in the third paragraph under ‘General
 7 Expenses, Offices of Experiment Stations’ in the Act entitled
 8 ‘An Act making appropriations for the Department of Agri-
 9 culture for the fiscal year ending June 30, 1915’, approved
 10 June 30, 1914 (38 Stat. 438; 39 U. S. C. 330).”

11 SEC. 2. Section 15 of title 17, United States Code (see:
 12 1, ch. 391, 61 Stat. 652), is hereby repealed.

13 SEC. 3. Section 306 of title III of the Act of June 25,
 14 1948 (62 Stat. 1049; 39 U. S. C. 321n), is hereby amended
 15 by (A) striking out the words “free of postage” wherever
 16 they appear therein, and by inserting, in lieu thereof “as
 17 penalty mail”; and (B) by striking out all of the second
 18 sentence down to and including the words “*Provided, That*”,
 19 in the first proviso.

20 SEC. 4. This Act shall be effective July 1, 1955.

21 *That the Act entitled “An Act to reimburse the Post Office*
 22 *Department for the transmission of official Government-mail*
 23 *matter”, approved August 15, 1953 (67 Stat. 614; Public*
 24 *Law 286, Eighty-third Congress), is amended by adding*
 25 *at the end thereof the following new sections:*

1 “*SEC. 3. There shall be paid to the Post Office Depart-*
2 *ment, as postal revenue, out of any appropriations or funds*
3 *available to each department, agency, establishment, or Gov-*
4 *ernment corporation concerned and as a necessary expense*
5 *of such appropriations and funds and of the activities con-*
6 *cerned, the equivalent amount of postage or registry fees, as*
7 *determined pursuant to regulations prescribed by the Post-*
8 *master General, for matter sent in the mails, without pre-*
9 *payment of postage or without prepayment of registry fees,*
10 *by or to such department, agency, establishment, or cor-*
11 *poration, for which the Post Office Department does not*
12 *otherwise receive compensation, under authority of the fol-*
13 *lowing provisions of law:*

14 “(1) *Section 3932 of the Revised Statutes (39 U. S. C.,*
15 *sec. 385);*

16 “(2) *The proviso added by section 2 of the Act of*
17 *May 1, 1928 (45 Stat. 469; 39 U. S. C., sec. 321a), to*
18 *section 29 of the Act of March 3, 1879, as amended (20*
19 *Stat. 362; 23 Stat. 158; 28 Stat. 412; 29 Stat. 590);*

20 “(3) *Section 10 of title 13 of the United States Code;*

21 “(4) *The second sentence of section 306 of the Penalty*
22 *Mail Act of 1948 (62 Stat. 1049; 39 U. S. C., sec. 321n);*
23 *and*

1 “(5) Section 345 of the Immigration and Nationality
2 Act (66 Stat. 266; 8 U. S. C., sec. 1456).

3 “SEC. 4. There shall be paid to the Post Office De-
4 partment, as postal revenue, out of appropriations made to
5 the Department of Agriculture for such purpose, the equiva-
6 lent amount of postage, as determined pursuant to regula-
7 tions prescribed by the Postmaster General, for matter sent
8 in the mails without prepayment of postage under authority
9 of the following provisions of law:

10 “(1) Section 6 of the Act entitled ‘An Act to establish
11 agricultural experiment stations in connection with the col-
12 leges established in the several States under the provisions
13 of an act approved July second, eighteen hundred and sixty-
14 two, and of the acts supplementary thereto’, approved March
15 2, 1887, as amended (69 Stat. 673; 7 U. S. C., sec. 361f);

16 “(2) Section 3 of the Act entitled ‘An Act to apply a
17 portion of the proceeds of the public lands to the more com-
18 plete endowment and support of the colleges for the benefit
19 of agriculture and the mechanic arts established under the
20 provisions of an Act of Congress approved July second,
21 eighteen hundred and sixty-two’, approved August 30, 1890
22 (26 Stat. 418; 7 U. S. C., sec. 325); and

23 “(3) The proviso contained in the third paragraph under
24 the heading ‘General Expenses, Office of Experiment Sta-
25 tions’ under the caption ‘Office of Experiment Stations’ in

1 the Act entitled 'An Act making appropriations for the
2 Department of Agriculture for the fiscal year ending June
3 thirtieth, nineteen hundred and fifteen', approved June 30,
4 1914 (38 Stat. 438; 39 U. S. C., sec. 330).

5 "SEC. 5. There shall be paid to the Post Office Depart-
6 ment, as postal revenue, out of appropriations made to the
7 Library of Congress for such purpose, the equivalent amount
8 of postage, as determined pursuant to regulations prescribed
9 by the Postmaster General, for matter sent in the mails
10 without prepayment of postage under authority of section
11 15 of title 17 of the United States Code."

12 SEC. 2. (a) The first sentence of section 306 of the
13 Penalty Mail Act of 1948 (62 Stat. 1049; 39 U. S. C.,
14 sec. 321n), is amended by striking out " , free of postage,"
15 and inserting in lieu thereof "as penalty mail".

16 (b) The second sentence of such section 306 is amended
17 to read as follows: "Nothing contained in this section shall
18 be construed to prohibit (1) the transmission in the mail,
19 as penalty mail, of such books, reports, periodicals, bulletins,
20 pamphlets, lists, articles, or documents to educational insti-
21 tutions, to public libraries, or to Federal, State, or other
22 public authorities and (2) the transmission in the mail, as
23 penalty mail, of lists of agricultural bulletins, lists of public
24 documents which are offered for sale by the Superintendent
25 of Documents, Government Printing Office, or announce-

1 ments of publications of maps, atlases, and statistical and
 2 other reports offered for sale by the Federal Power Com-
 3 mission under authority of section 312 of the Federal Power
 4 Act (16 U. S. C., sec. 825k)."

5 SEC. 3. The amendments made by this Act shall take
 6 effect on July 1, 1956.

Amend the title so as to read: "An Act to amend certain provisions of law in order to provide for the reimbursement of the Post Office Department by Government agencies in certain additional cases for the transmission of mail matter."

84TH CONGRESS
2D Session

S. 1871

[Report No. 2421]

AN ACT

To amend the Act entitled "An Act to reimburse the Post Office Department for the transmission of official Government-mail matter", approved August 15, 1953 (67 Stat. 614), and for other purposes.

MARCH 20, 1956

Referred to the Committee on Post Office and Civil
Service

JUNE 25, 1956

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

July 2, 1956

SURPLUS COMMODITIES.

16. S. 3903, to increase the amount under title 1 of the Agricultural Trade Development and Assistance Act, was made the unfinished business. pp. 10440, 10485
17. CCC BORROWING POWER. Sen. Ellender urged prompt consideration of S. 3820, to increase the borrowing power of CCC. p. 10440

HOUSE

18. RECLAMATION. Conferees were appointed on S. 1622, to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, S. Dak., of the Missouri River Basin project. Senate conferees were appointed on June 29. p. 10499
19. WATERSHEDS. Passed without amendment H. R. 11873, to decrease the Congressional review period of projects under the Watershed Protection and Flood Prevention Act from 45 days to 15 days. p. 10515
20. PENALTY MAIL. Passed as reported S. 1871, to extend the penalty mail Act to Extension Directors and Experiment Stations. p. 10509
21. POSTAL RATES. Agreed to a resolution providing for the consideration of H. R. 11380, to readjust postal rates and to establish a congressional policy for the determination of postal rates. p. 10546
22. FOREIGN AID. Conferees were appointed on H. R. 11356, the mutual security bill. Senate conferees were appointed June 29. p. 10533
23. LAND TRANSFERS. Passed as reported H. R. 8817, to provide for the transfer of certain lands to Corbin, Ky. p. 10514
The Agriculture Committee reported without amendment H. R. 9678, to provide for the transfer of the Baronof Castle site (formerly research land) to Sitka, Alaska (H. Rept. 2571). p. 10561
The Forests Subcommittee of the Agriculture Committee ordered reported to the full committee H. R. 11895, to authorize the interchange of lands between the USDA and the military departments of the Defense Department. p. D726
24. FORESTRY. Passed without amendment H. R. 9339, to authorize the exchange of certain lands in Union County, Ga. for lands within the Chattahoochee National Forest, Ga. p. 10514
The Agriculture Committee reported without amendment S. 2517, to release certain Tongass National Forest receipts from escrow (H. Rept. 2568). p. 10561
25. MILK. Passed without amendment H. R. 11375, to further extend the special school milk program to certain institutions for the care and training of children whether or not underprivileged. p. 10515
26. SEED. Passed without amendment S. 1688, to remove the criminal penalty for inadvertent violations of the Federal Seed Act and to prescribe civil penalties for such violations of the Act. This bill is now ready for the President. p. 10516
27. COMMODITY EXCHANGES. Passed as reported H. R. 9333, to give to certain consuming processors of cotton the privilege of buying cotton futures contracts in certain cases. p. 10516
28. TRANSPORTATION. At the request of Rep. Ford, after some discussion, passed over S. 898, to amend the Interstate Commerce Act, with respect to the authority of

the Interstate Commerce Commission to regulate the use by motor carriers (under leases, contracts, or other arrangements) of motor vehicles not owned by them, in the furnishing of transportation of property. p. 10512

29. CONTRACTS. The Ways and Means Committee reported on June 30 with amendment H.R. 11947, to extend and amend the Renegotiation Act of 1951 (H. Rept. 2549). p. 10560
30. SOIL CONSERVATION. The Agriculture Committee reported without amendment H. R. 8321, to further extend the period of Federal administration of the ACP program from Jan. 1, 1957 to Jan. 1, 1959 (H. Rept. 2570). p. 10561
31. PERSONNEL. Passed without amendment S. 1542, to authorize an allowance for civilian officers and employees of the Government who are notaries public. This bill is now ready for the President. p. 10508
At the request of Rep. Gross, passed over S. 1815, to permit the exchange of employees of the USDA and employees of State-local political subdivisions or educational institutions. p. 10515
Passed without amendment H. R. 11923, to provide for the conferring of an award to be known as the Medal for Distinguished Civilian Achievement. p. 10519
The Executive and Legislative Reorganization Subcommittee of the Government Operations Committee ordered reported to the full committee H. R. 11515, to provide for the payment of travel and transportation costs of persons selected for appointment to certain positions in the U. S. and Alaska. p. D726
32. RECORDS. At the request of Rep. Cunningham, passed over S. 2364, to clarify GSA authority over records management. p. 10499
33. WATER PLANTS. Passed without amendment H. R. 11636, to amend Chapter 3 of Title 18, U. S. Code, to provide penalties for the transportation, sale of, or advertising for sale, in interstate commerce, of water hyacinth plants, water chestnut plants, or alligator grass. p. 10505
34. BUILDINGS. Passed without amendment S. 3866, to facilitate the making of lease-purchase agreements by GSA by deleting the requirement for approval of purchase contract agreements by the Director of the Bureau of the Budget and adding a requirement that the project statement by the Director shall be based on budgetary and related considerations, and not deemed to constitute approval of specific terms or provisions of any proposed agreement or of the selection of any particular contractor or lessor. This bill is now ready for the President, p. 10510.
35. WEATHER. Passed without amendment S. 2913, to extend for two years (until June 30, 1958) the Advisory Committee on Weather Control. This bill is now ready for the President. p. 10510
36. RESEARCH; ORGANIZATION. Passed without amendment H. R. 11575, to provide for an Assistant Secretary for Research and Development for each of the three military departments within the Defense Department. p. 10524
37. FLOOD CONTROL. Passed with amendment S. 3272, to increase and make certain revisions in the general authorization for small flood control projects. A similar bill, H. R. 9555, was laid on the table. p. 10529

STATUTE OF LIMITATIONS ON COPYRIGHTS

The Clerk called the bill (H. R. 781) to amend title 17 of the United States Code entitled "Copyrights" to provide for a state of limitations with respect to civil actions.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 115 of title 17, United States Code, is hereby amended to read as follows:

"115. (a) Limitation of criminal proceedings: No criminal proceeding shall be maintained under the provisions of this title unless the same is commenced within 3 years after the cause of action arose.

"(b) Limitations of Civil Actions: No civil action shall be maintained under the provisions of this title unless the same is commenced within 3 years after the claim accrued."

SEC. 2. The amendments made by this act shall take effect 1 year after the date of enactment of this act and shall apply to all actions commenced on or after such effective date.

With the following committee amendments:

Page 1, line 5, strike out "115. (a) Limitation of Criminal proceedings.—", and insert in lieu thereof:

"Section 115. Limitations.

"(a) Criminal Proceedings."

Page 1, line 9, strike out "(b) Limitation of Civil Actions.—", and insert in lieu thereof:

"(b) Civil actions."

Page 2, add a new section as follows:

"SEC. 3. The chapter analysis of Chapter 2 of Title 17 proceeding section 101 is amended by striking out "115. Limitation of criminal proceedings" and inserting "115. Limitations."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL PROBATION ACT

The Clerk called the bill (H. R. 6870) to amend the Federal Probation Act to make it applicable to the United States District Court for the District of Columbia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of title 18, United States Code, section 3651, shall apply to the United States District Court for the District of Columbia. Accordingly, the first paragraph of section 3651 of title 18, United States Code, is amended by striking therefrom the words, "except in the District of Columbia", so that said paragraph shall read as follows:

"Upon entering a judgment of conviction of any offense not punishable by death or life imprisonment, any court having jurisdiction to try offenses against the United States when satisfied that the ends of justice and the best interest of the public as well as the defendant will be served thereby, may suspend the imposition or execution of sentence and place the defendant on probation for such period and upon such terms and conditions as the court deems best."

SEC. 2. The act approved June 25, 1910 (36 Stat. 864; secs. 24-102, D. C. Code) is repealed insofar as it applies to the United States District Court for the District of Columbia but nothing contained in this act

shall be construed to amend or repeal the provisions of the act entitled "An act to provide for the suspension of the imposition or execution of sentence in certain cases in the Municipal Court for the District of Columbia and in the Juvenile Court of the District of Columbia," approved June 18, 1953 (67 Stat. 65).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OFFICIAL GOVERNMENT-MAIL MATTER

The Clerk called the bill (S. 1871) to amend the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter," approved August 15, 1953 (67 Stat. 614), and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter," approved August 15, 1953 (67 Stat. 614), is amended by the addition of sections 3 and 4 to read as follows:

"SEC. 3. There shall be paid to the Post Office Department, as postal revenue, out of the respective appropriations or funds available to the departments, agencies, establishments, Government corporations, and all other organizations and persons concerned, the equivalent amount of postage or registry fees, as determined pursuant to regulations prescribed by the Postmaster General for matter sent in the mails without prepayment of postage, or without prepayment of registry fees, by the department, agency, establishment, Government corporation, organization, or person concerned, for which the Post Office Department otherwise does not receive compensation, under authority of the following laws:

"(1) Section 3932 of the Revised Statutes (39 U. S. C. 385);

"(2) That part of section 3 of the act entitled 'An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1885, and for other purposes,' approved July 5, 1884 (23 Stat. 158), as amended by section 2 of the act entitled 'An act authorizing the Postmaster General to establish a uniform system of registration of mail matter, and for other purposes,' approved May 1, 1928 (45 Stat. 469), and codified in section 321a of title 39, United States Code;

"(3) Section 10 of title 13, United States Code (sec. 1, ch. 1158, 68 Stat. 1012, 1014);

"(4) The first and second provisions of section 306 of title III of the act entitled 'An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes,' approved June 25, 1948 (62 Stat. 1049; 39 U. S. C. 321n); and

"(5) Section 345 of the act entitled 'An act to revise the laws relating to immigration, naturalization, and nationality; and for other purposes,' approved June 27, 1952 (66 Stat. 266; 8 U. S. C. 1456).

"Such payments shall be regarded as a necessary expense of the respective appropriations and activities.

"SEC. 4. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made therefor, to the Department of Agriculture, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General for matter sent in the mails without prepayment of postage pursuant to the following laws:

"(1) Section 4 of the act entitled 'An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto,' approved March 2, 1887 (24 Stat. 441; 7 U. S. C. 365);

"(2) Section 3 of the act entitled 'An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July 2, 1862,' approved August 30, 1890 (26 Stat. 418; 7 U. S. C. 325); and

"(3) The proviso in the third paragraph under 'General expenses, offices of experiment stations' in the act entitled 'An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915,' approved June 30, 1914 (38 Stat. 438; 39 U. S. C. 330).

SEC. 2. Section 15 of title 17, United States Code (sec. 1, ch. 391, 61 Stat. 652), is hereby repealed.

SEC. 3. Section 306 of title III of the act of June 25, 1948 (62 Stat. 1049; 39 U. S. C. 321n), is hereby amended by (A) striking out the words "free of postage" wherever they appear therein, and by inserting, in lieu thereof "as penalty mail"; and (B) by striking out all of the second sentence down to and including the words "Provided, That", in the first proviso.

SEC. 4. This act shall be effective July 1, 1955.

With the following committee amendment:

Strike out all after the enacting clause and insert "That the act entitled 'An act to reimburse the Post Office Department for the transmission of official Government-mail matter,' approved August 15, 1953 (67 Stat. 614; Public Law 286, 83d Cong.), is amended by adding at the end thereof the following new sections:

"SEC. 3. There shall be paid to the Post Office Department, as postal revenue, out of any appropriations or funds available to each department, agency, establishment, or Government corporation concerned and as a necessary expense of such appropriations and funds and of the activities concerned, the equivalent amount of postage or registry fees, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails, without prepayment of postage or without prepayment of registry fees, by or to such department, agency, establishment, or corporation, for which the Post Office Department does not otherwise receive compensation, under authority of the following provisions of law:

"(1) Section 3932 of the Revised Statutes (39 U. S. C. sec. 385);

"(2) The proviso added by section 2 of the act of May 1, 1928 (45 Stat. 469; 39 U. S. C. sec. 321a), to section 29 of the act of March 3, 1879, as amended (20 Stat. 362; 23 Stat. 158; 28 Stat. 412; 29 Stat. 590);

"(3) Section 10 of title 13 of the United States Code;

"(4) The second sentence of section 306 of the Penalty Mail Act of 1948 (62 Stat. 1049; 39 U. S. C. sec. 321n); and

"(5) Section 345 of the Immigration and Nationality Act (66 Stat. 266; 8 U. S. C. sec. 1456).

"SEC. 4. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made to the Department of Agriculture for such purpose, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails without prepayment of postage under authority of the following provisions of law:

"(1) Section 6 of the act entitled "An act to establish agricultural experiment sta-

tions in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the act supplementary thereto", approved March 2, 1887, as amended (69 Stat. 673; 7 U. S. C., sec. 361f);

"(2) Section 3 of the act entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July 2, 1862", approved August 30, 1890 (26 Stat. 418; 7 U. S. C., sec. 325); and

"(3) The proviso contained in the third paragraph under the heading "General Expenses, Office of Experiment Stations" under the caption "Office of Experiment Stations" in the act entitled "an act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915", approved June 30, 1914 (38 Stat. 438; 39 U. S. C., sec. 330).

"SEC. 5. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made to the Library of Congress for such purpose, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails without prepayment of postage under authority of section 15 of title 17 of the United States Code."

"SEC. 2. (a) The first sentence of section 306 of the Penalty Mail Act of 1948 (62 Stat. 1049; 39 U. S. C., sec. 321n), is amended by striking out 'free of postage,' and inserting in lieu thereof 'as penalty mail'."

"(b) The second sentence of such section 306 is amended to read as follows: 'Nothing contained in this section shall be construed to prohibit (1) the transmission in the mail, as penalty mail, of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions, to public libraries, or to Federal, State, or other public authorities and (2) the transmission in the mail, as penalty mail, of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Documents, Government Printing Office, or announcements of publications of maps, atlases, and statistical and other reports offered for sale by the Federal Power Commission under authority of section 312 of the Federal Power Act (16 U. S. C., sec. 825k).'"

"SEC. 3. The amendments made by this act shall take effect on July 1, 1956."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to amend certain provisions of law in order to provide for the reimbursement of the Post Office Department by Government agencies in certain additional cases for the transmission of mail matter."

A motion to reconsider was laid on the table.

ADMINISTRATOR OF GENERAL SERVICES

The Clerk called the bill (S. 3866) to facilitate the making of lease-purchase agreements by the Administrator of General Services under the Public Buildings Act of 1939, as amended, and by the Postmaster General under the Post Office Department Property Act of 1954, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (e) of section 411 of the Public Buildings Act of 1949, as added by section 101 of the Public Buildings Contract Act of 1954 (68 Stat. 518), is further amended—

(1) by repealing so much of said subsection (e) as reads: "No proposed purchase contract agreement shall be executed under this section unless such agreement has been approved by the Director of the Bureau of the Budget, as evidenced by a written statement of such officer to the effect that the execution of such agreement is necessary and is in conformity with the policy of the President."; and

(2) by adding at the end of subparagraph 8 of said subsection (e) the following: "Such statement by the Director shall be based on budgetary and related considerations and shall not be deemed to constitute approval by the Director of the specific terms or provisions of any proposed agreement or of the selection of any particular contractor or lessor."

SEC. 2. Subsection (g) of section 202 of the Post Office Department Property Act of 1954 (68 Stat. 521), is amended—

(1) by repealing so much of said subsection (g) as reads: "No proposed lease-purchase agreements shall be executed under this section unless such agreement has been approved by the Director of the Bureau of the Budget, as evidenced by a written statement of such officer to the effect that the execution of such agreement is necessary and is in conformity with the policy of the President."; and

(2) by adding at the end of subparagraph 8 of said subsection (g) the following: "Such statement by the Director shall be based on budgetary and related considerations and shall not be deemed to constitute approval by the Director of the specific terms or provisions of any proposed agreement or of the selection of any particular contractor or lessor."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL BUREAU FOR THE PUBLICATION OF CUSTOMS TARIFFS

The Clerk called the joint resolution (S. J. Res. 178) to authorize an appropriation to provide for certain costs of United States participation in the International Bureau for the Publication of Customs Tariffs.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That there is hereby authorized to be appropriated to the Department of State the sum of \$44,975 for payment by the United States of certain contributions for the support of the International Bureau for the Publication of Customs Tariffs for the period beginning April 1, 1950, and extending through the fiscal year expiring June 30, 1957.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADVISORY COMMITTEE ON WEATHER CONTROL

The Clerk called the bill (S. 2913) to extend for 2 years the Advisory Committee on Weather Control.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 10 (a) of the act entitled "an act to create a committee to study and evaluate public and private experiments in weather modification," approved August 13, 1953 (67 Stat. 559, 561), is amended by striking out "June 30, 1956" and inserting in lieu thereof "June 30, 1958."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN HOLLIS BANKHEAD LOCK AND DAM

The Clerk called the bill (H. R. 7130) to provide that lock and dam No. 17 on the Black Warrior River, Ala., shall hereafter be known and designated as the John Hollis Bankhead Lock and Dam.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. DEANE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

AMENDING TITLE 18 OF THE UNITED STATES CODE

The Clerk called the bill (H. R. 6403) to amend title 18, entitled "Crimes and Criminal Procedure," of the United States Code, to provide a criminal sanction for the embezzlement or theft of the property of Indian tribal organizations.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That chapter 53 of title 18, United States Code, is hereby amended by inserting at the end of the chapter analysis preceding section 1151 of such title the following new item:

"1163. Embezzlement and theft from Indian tribal organizations."

SEC. 2. Title 18, United States Code, is hereby amended by inserting in chapter 53 thereof immediately after section 1162 a new section, to be designated as section 1163, as follows:

"§ 1163. Embezzlement and theft from Indian tribal organizations"

"Whoever embezzles, steals, abstracts, purloins, knowingly converts to his use or the use of another, willfully misapplies, or willfully permits to be misapplied, any of the moneys, funds, credit, goods, assets, or other property belonging to any Indian tribal organization or entrusted to the custody or care of any officer, employee, or agent of an Indian tribal organization; or

"Whoever, knowing any such moneys, funds, credits, goods, assets, or other property to have been so embezzled, stolen, abstracted, purloined, converted, misapplied or permitted to be misapplied, receives, conceals, or retains the same with intent to convert it to his use or the use of another—

"Shall be fined not more than \$5,000, or imprisoned not more than 5 years, or both; but if the value of such property does not exceed the sum of \$100, he shall be fined not more than \$1,000, or imprisoned not more than 1 year, or both.

"As used in this section, the term 'Indian tribal organization' means any tribe, band, or community of Indians which is subject to the laws of the United States relating to Indian affairs or any corporation, association,

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

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For actions of

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HIGHLIGHTS: Both Houses agreed to conference report on mutual security authorization bill. Ready for President. Both Houses agreed to conference report on military construction bill. Ready for President. House began debate on mutual security appropriation bill. Senate committee reported bills to: Extend time for study of employee security program. Provide study of foreign assistance program. Extend law for amortization of grain storage facilities. Senate conferees were appointed on bill to increase CCC borrowing power. Senate agreed to House amendment to bill to extend Penalty Mail Act to Extension Directors and Experiment Stations. Ready for President.

HOUSE

1. FOREIGN AID. Both Houses agreed to the conference report on H. R. 11356, the mutual security authorization bill. This bill is now ready for the President.
pp. 10991, 11021
Began debate on H. R. 12130, the mutual security appropriation bill.
p. 11049
2. MILITARY CONSTRUCTION; SURPLUS COMMODITIES. Both Houses agreed to the conference report on H. R. 9893, to authorize certain construction at military installations. The bill authorizes the Secretary of Defense to use for family housing construction in foreign countries, foreign currencies not to exceed \$250 million acquired through provisions of the Agricultural Trade Development and Assistance Act or other commodity transactions of CCC. This bill is now ready for the President.
pp. 11010, 11015, 11025

SENATE

3. FORESTRY. The Government Operations Committee reported with amendment H. R. 8817, to provide for the conveyance of certain property of the U. S. to the city of Corbin, Ky. (S. Rept. 2430). p. 10929

4. EMPLOYEE SECURITY. The Rules and Administration Committee reported with amendment S. Res. 294, to extend further the time for a study of the Government employees security program. p. 10929 (no written report)
5. FOREIGN AID. The Rules and Administration Committee reported with amendment S. Res. 285, to provide for studies to be made regarding foreign assistance by the U. S. (S. Rept. 2434). p. 10929
Sen. Smith, Me., inserted a newspaper editorial opposing further aid to Yugoslavia. p. 11012
6. WATERSHEDS. Received from the Budget Bureau a plan for works of improvement of watershed projects; to Agriculture and Forestry Committee. p. 10930
7. FCA AUDIT. Received from the Comptroller General an audit report of the Farm Credit Administration for the fiscal year ending June 30, 1955; to Government Operations Committee. p. 10931
8. ELECTRIFICATION. Sen. Wiley inserted resolutions of the Dairvland Power Cooperative relating to various aspects of electrification and public power. p. 10931
Sen. Neuberger criticized opposition to the construction of the Hells Canyon dam, and inserted several articles on the matter. p. 10953
Sens. Gore and Goldwater discussed contributions made to the National Hells Canyon Assoc. p. 10956
9. SOIL BANK. Sen. Humphrey inserted a Farmers Union letter urging that the soil-bank program be expanded and liberalized because of the recent drought in certain areas. p. 10932
10. TAXATION. The Finance Committee reported with amendments H. R. 9083, to amend the Internal Revenue Code of 1954 so as to extend the law regarding amortization of grain-storage facilities (S. Rept. 2438). p. 10932
11. CCC. Senate conferees were appointed on S. 3820, to increase the borrowing power of the CCC. House conferees have not yet been appointed. p. 10956
12. PENALTY MAIL. Agreed to the House amendments to S. 1871, which extend the Penalty Mail Act provisions to Extension Directors and Experiment Stations. This bill will now be sent to the President. p. 10994
13. HOUSING. Sen. Sparkman and others urged passage of housing legislation during this session of Congress. p. 11013
14. EDUCATION. Sen. Humphrey claimed the Administration had not adequately supported passage of legislation for Federal aid to education. p. 11015
15. TREATIES. The Foreign Relations Committee submitted a report on the following treaties: (Ex. Rept. 9), p. 10933 Treaty of amity, economic relations, and consular rights between the U. S. and Iran.
Treaty of friendship, commerce, and navigation with Nicaragua;
Treaty of friendship, commerce, and navigation between the U. S. and the Netherlands.
16. LEGISLATIVE PROGRAM. Sen. Johnson announced that the following measures will be considered Wed., July 11: International Wheat Agreement; S. Res. 285, to study foreign aid program; H. R. 8817, for transfer of land to Corbin, Ky.; and S. Res 294, extending time for study of employee security program. p. 11006

mittee. These Senate resolutions were intended to convey to the President advice of the Senate's favorable view toward a world food and raw materials reserve. They were drafted as Senate resolutions because section 2 of article II of the Constitution provides that the Senate alone shall give advice and consent to treaties. The Senate's adoption of this provision of the bill has made clear its views and wishes in the matter, and the objectives of the Senate resolutions have been achieved. The House conferees felt that if this was a matter to be acted upon by the House, it should go to that body in a form permitting separate consideration. The Senate conferees therefore feel justified in recommending that the Senate recede.

Transfer to exchange program: The Senate bill also contained an amendment, sponsored

by the Senator from Arkansas [Mr. FULBRIGHT] expressing the sense of Congress that \$11 million of mutual security funds should be transferred, in the discretion of the President, to the Department of State for international educational exchange activities. The purpose of this amendment, as explained in the Senate committee report on the bill, is to provide the full \$31 million recommended for the exchange program in fiscal 1957 by the Advisory Commission on Educational Exchange. The budget request for this purpose was only \$20 million, all of which was appropriated by Congress; so \$11 million more is necessary.

The conferees agreed to the amendment, with an amendment adding the words "not to exceed" before the sum of \$11 million. This simply makes it conform to other items

in the bill, all of which are stated in terms of "not to exceed" a given amount. The amendment makes the transfer authority discretionary with the President, but the conferees are strongly of the opinion that he should use the authority to the full extent of \$11 million.

Emphasis of future programs: Finally, Mr. President, the Senate bill contained an amendment sponsored by the Senator from Minnesota [Mr. HUMPHREY] expressing the sense of Congress that in the preparation of the mutual security program, the President should take fully into account "the desirability of affirmatively promoting the economic development of underdeveloped countries." With one minor technical change, this amendment was approved by the conferees.

Mutual security authorizations

	Administration request	House	Senate	Conference
TITLE I				
Military assistance.....	\$2,925,000,000	\$1,925,000,000	\$925,000,000	\$2,225,000,000
Spain.....	(1)	(48,000,000)	(1)	
Other European countries.....	(1)	(402,000,000)	(1)	
Replacement purchases for United States forces.....	(1)	(1)	1,600,000,000	
Subtotal.....	2,925,000,000	1,925,000,000	2,525,000,000	2,225,000,000
Defense support:				
Europe.....	78,700,000	63,700,000	78,700,000	71,200,000
Near East and Africa.....	170,000,000	170,000,000	170,000,000	170,000,000
Asia.....	882,000,000	882,000,000	882,000,000	882,000,000
Latin America.....		37,000,000	37,000,000	52,000,000
Subtotal.....	1,130,700,000	1,152,700,000	1,167,700,000	1,175,200,000
Total, title I.....	4,055,700,000	3,077,700,000	3,692,700,000	3,400,200,000
TITLE II				
Development assistance:				
Near East and Africa.....	63,000,000	243,000,000	63,000,000	293,000,000
Asia.....	80,000,000		80,000,000	
Latin America.....	27,000,000			
Total, title II.....	170,000,000	243,000,000	143,000,000	293,000,000
TITLE III				
Technical cooperation:				
Bilateral.....	140,500,000	140,500,000	140,500,000	140,500,000
Multilateral:				
U. N.....	15,500,000	15,500,000	15,500,000	15,500,000
OAS.....	1,500,000	1,500,000	1,500,000	1,500,000
Total, title III.....	157,500,000	157,500,000	157,500,000	157,500,000
TITLE IV				
Other programs:				
Special fund.....	100,000,000	100,000,000	100,000,000	100,000,000
Encouragement of enslaved peoples.....			5,000,000	
Joint control areas.....	12,200,000	12,200,000	12,200,000	12,200,000
U. N. refugee fund.....	2,300,000	2,300,000	2,300,000	2,300,000
Escapees.....	7,000,000	7,000,000	7,000,000	7,000,000
U. N. children's fund.....	10,000,000	10,000,000	10,000,000	10,000,000
Ocean freight:				
(1) Voluntary agencies.....	1,400,000	1,400,000	3,000,000	3,000,000
(2) Surplus agricultural commodities.....	14,000,000	14,000,000		
Control Act expenses.....	1,175,000	1,175,000	1,175,000	1,175,000
Administrative expenses.....	35,250,000	35,250,000	35,250,000	35,250,000
Special authorization, Middle East and Africa.....	100,000,000		100,000,000	
Latin American Economic Development Fund.....			35,000,000	
Foreign reactor projects.....	5,950,000	5,950,000	5,950,000	5,950,000
Total, title IV.....	289,275,000	189,275,000	316,875,000	176,875,000
Total.....	4,672,475,000	3,667,475,000	4,310,075,000	4,027,575,000
Deduct: Repeal of unappropriated authorization, President's fund for Asian economic development.....		-100,000,000		-100,000,000
Net total.....	4,672,475,000	3,567,475,000	4,310,075,000	3,927,575,000

¹ Not separately identified.

NOTE.—The conference agreement: \$360,100,000 more than House bill, \$382,500,000 less than Senate bill.

NOTE.—The House bill also authorizes an increase from \$2 million to \$3 million in the ceiling on annual United States contributions to the Food and Agriculture Organ-

ization. The Senate bill likewise authorizes the increase, with a proviso that United States contributions cannot exceed 31.5 percent of total contributions.

The House bill authorizes appropriations "of such sums as may be necessary" for State Department administrative expenses in connection with the act. The Senate bill authorizes not to exceed \$7 million a year for this purpose.

Mr. BENNETT. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement I have prepared in connection with the conference report.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BENNETT

I desire to make a brief statement with regard to the conference report on mutual security. I supported the committee's recommendations when the Senate considered this measure. I did so out of my convictions that the money being authorized would be spent in the national interest.

I was mindful that the bill was primarily one of military assistance. Fifty-six percent of the money is for direct military assistance. Of the \$2.2 billion for direct military assistance, the great preponderance will be spent to replace equipment and materials of the United States Armed Forces which have been used for military assistance to friendly nations. Much of the remainder will be spent to maintain the armed forces of Korea, NATO, and Formosa, and to supply advanced weapons to our allies. I feel that American people are getting their money's worth out of this program. It should be remembered that while in 1954 it cost our Nation about \$5,900 to maintain one of our own soldiers, it cost us only \$747 to maintain an allied soldier. It is because of the favorable economics of this military assistance to our allies that we have been able to maintain NATO. Had America tried to maintain NATO alone, it could have ruined our Nation. It has been the combination of NATO and our air-nuclear power which have kept the Russians at bay in recent years, and, if we have thereby spared the world and ourselves the blood and anguish of war, the money has been well spent.

I am one of those who believe it was our determination to "stay with it" in Europe and elsewhere which paved the way for the relaxation of Soviet control over her satellites. Tito could not have stood alone if it had not been for NATO and the military assistance he has received from the Western World. Now Mr. President, we see the rumblings of other satellite countries—rumblings which have yet to spend themselves. Hungary has just ventured to serve notice of her thirst for more freedom. Poland has written her determination in the blood of patriots. How can we back away now when we may be on the threshold of an era of relative insecurity behind the Iron Curtain. To back away now would break the back of the resistance movements.

The stirrings of the satellites may be due to many things, and the Soviets may have some schemes at work, but I am sure that had America abandoned Europe to the Soviets in the postwar world there would be no free Europe, nor would there be hope for that freedom to be rekindled behind the Iron Curtain. If we abandon Europe now, these stirrings will cease.

If America were to abandon the leadership of the free world and isolate itself, Russia would then control 94 percent of the world's population and stand astride the great bulk of the earth's resources. Those who would so quickly leave our friends to sink or swim should remember that the United States obtains 100 percent of its natural rubber abroad, 95 percent of its manganese, 99 percent of its chromite, 72 percent of its tungsten, 100 percent of its tin, and 92 percent of its cobalt. The senior Senator from Georgia was correct when he said that if we retreat to isolationism we will trade as traders at sufferance and as tenants.

Over a year ago in Utah I spoke on Soviet power. My speech was given following the

Quemoy-Matsu crisis. It was a spring in which many foresaw war. I said there would be no war in the foreseeable future. I said further that internal politics in the Soviet Union would keep the Russian bear off balance and that the problem of succession following Stalin's death would not be conducive to the Soviet's launching a struggle for survival. I cite this talk not because it was singular but because it reflected the optimism some of us felt, a feeling that if the free world lived up to its obligations, time would work with us.

Students of tyranny say the moment of greatest danger for a dictatorship is when reforms are instituted and in the matter of succession to leadership. The Soviets are now passing through the throes of those problems. The Russians are still faced with striking disparity between their progress in such fields as air power and consumer goods. The stark contrast between their accomplishments for war and their standards of living will continue to plague them. The Soviet citizen who gazes in awe at May-day air power demonstrations may feel for a moment a sense of national pride and a sense of security, but almost as the sounds of these planes fade away he is left to face his role in a society which depresses his standard of living to levels unheard of here. You can't eat engine thrust and you can't wear guided missiles. The Soviet people may never revolt but the pressure will be felt by their leaders just as it has been felt elsewhere behind the Iron Curtain.

I have no illusions about being able to buy friends, and I did not support this measure for this reason. I am supporting it because it is in the interests of our national security and because I believe the benefits America derives from the mutual-security program make the expenditures worthwhile and sound. I do not say, of course, every project or undertaking is sound. I am sure that could not be so in a program of this scope. But I know that because of this program Turkey is able to maintain more divisions in being than we have in our own country, and that this is also true for the Republic of Korea. The same stiffening of the free world at other points along the Soviet periphery has taken place as a result of our assistance. The Soviet shift to an economic instead of a military offensive is due in part to the armed strength of the free world. We must not falter now—now that we have successfully turned the Soviets from military adventures to economic ones. The cacophony of competitive trade in the world market place is better to hear than the rattling of swords. The free world is stronger economically than the Soviet bloc, and it will remain strong if we can meet this new challenge successfully.

Because they seem appropriate, I read in closing the words of a 19th century King of Siam who found the world a puzzle:

"Shall I join with other nations in alliance?
If allies are weak am I not best alone?
If allies are strong with power to protect me,
Might they not protect me out of all I own?
Is a danger to be trusting one another
One will seldom want to do what other wishes.
But unless someday somebody trust somebody
There be nothing left on earth excepting fishes."

These words from the King and I catch the spirit of uncertainty abroad in much of the world today. As the leader of the free world the United States can set a tone for the non-Communist world which would resolve such puzzlements and give to all mutual security.

I urge the Senate to adopt the conference report on mutual security with the hope that we can bring the appropriations more nearly to the level required.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The question is on agreeing to the conference report. The report was agreed to.

REIMBURSEMENT OF POST OFFICE DEPARTMENT FOR THE TRANSMISSION OF OFFICIAL GOVERNMENT-MAIL MATTER

Mr. JOHNSTON of South Carolina. Mr. President, I ask the Chair to lay before the Senate the amendments of the House of Representatives to Senate bill 1871. I have cleared the matter with the majority and minority leaders.

The House made some minor amendments to the bill as passed by the Senate. I ask that the House amendments be now considered.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Laid before the Senate the amendments of the House of Representatives to the bill (S. 1871) to amend the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter," approved August 15, 1953 (67 Stat. 614), and for other purposes, which were to strike out all after the enacting clause and insert:

That the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter," approved August 15, 1953 (67 Stat. 614; Public Law 286, 83d Cong.), is amended by adding at the end thereof the following new sections:

"SEC. 3. There shall be paid to the Post Office Department, as postal revenue, out of any appropriations or funds available to each department, agency, establishment, or Government corporation concerned and as a necessary expense of such appropriations and funds and of the activities concerned, the equivalent amount of postage or registry fees, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails, without prepayment of postage or without prepayment of registry fees, by or to such department, agency, establishment, or corporation, for which the Post Office Department does not otherwise receive compensation, under authority of the following provisions of law:

"(1) Section 3932 of the Revised Statutes (39 U. S. C., sec. 385);

"(2) The proviso added by section 2 of the act of May 1, 1928 (45 Stat. 469; 39 U. S. C., sec. 321a), to section 29 of the act of March 3, 1879, as amended (20 Stat. 362; 23 Stat. 158; 28 Stat. 412; 29 Stat. 590);

"(3) Section 10 of title 13 of the United States Code;

"(4) The second sentence of section 306 of the Penalty Mail Act of 1948 (62 Stat. 1049; 39 U. S. C., sec. 321n); and

"(5) Section 345 of the Immigration and Nationality Act (66 Stat. 266; 8 U. S. C., sec. 1456).

"SEC. 4. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made to the Department of Agriculture for such purpose, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails without prepayment of postage under authority of the following provisions of law:

"(1) Section 6 of the act entitled 'An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto,' approved March

2, 1887, as amended (69 Stat. 673; 7 U. S. C., sec. 361f);

"(2) Section 3 of the act entitled 'An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July 2, 1862,' approved August 30, 1890 (26 Stat. 418; 7 U. S. C., sec. 325); and

"(3) The proviso contained in the third paragraph under the heading 'General Expenses, Office of Experiment Stations' under the caption 'Office of Experiment Stations' in the act entitled 'An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915,' approved June 30, 1914 (38 Stat. 438; 39 U. S. C., sec. 330).

"Sec. 5. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made to the Library of Congress for such purpose, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails without prepayment of postage under authority of section 15 of title 17 of the United States Code."

Sec. 2. (a) The first sentence of section 306 of the Penalty Mail Act of 1948 (62 Stat. 1049; 39 U. S. C., sec. 321n), is amended by striking out "free of postage," and inserting in lieu thereof "as penalty mail."

(b) The second sentence of such section 306 is amended to read as follows: "Nothing contained in this section shall be construed to prohibit (1) the transmission in the mail, as penalty mail, of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions, to public libraries, or to Federal, State, or other public authorities and (2) the transmission in the mail, as penalty mail, of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Documents, Government Printing Office, or announcements of publications of maps, atlases, and statistical and other reports offered for sale by the Federal Power Commission under authority of section 312 of the Federal Power Act (16 U. S. C., sec. 825k)."

Sec. 3. The amendments made by this act shall take effect on July 1, 1956.

And to amend the title so as to read: "An act to amend certain provisions of law in order to provide for the reimbursement of the Post Office Department by Government agencies in certain additional cases for the transmission of mail matter."

Mr. JOHNSTON of South Carolina. Mr. President, I move that the Senate concur in the amendments of the House. The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the following bills of the Senate:

S. 2704. An act to authorize the appropriation of funds for the construction of certain highway-railroad grade separations in the District of Columbia, and for other purposes;

S. 2705. An act to authorize the Philadelphia, Baltimore & Washington Railroad Co. to construct, maintain, and operate a branch track or siding over Second Street SE., in the District of Columbia; and

S. 2896. An act to amend the act relating to cemetery associations.

REINVESTMENT BY AIR CARRIERS OF PROCEEDS FROM SALE OF CERTAIN OPERATING PROPERTY

The Senate resumed the consideration of the bill (S. 3449) relating to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Delaware to recommit the bill to the Committee on Interstate and Foreign Commerce.

The Chair may state that on the pending motion there is a time limitation of 30 minutes, 15 minutes to be controlled by the mover, the Senator from Delaware [Mr. WILLIAMS], and 15 minutes to be controlled by the majority leader, in this case the acting majority leader, the Senator from Nevada [Mr. BIBLE].

Mr. WILLIAMS. Mr. President, on the motion to recommit, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. As I understand the yeas and nays have been ordered on the motion to recommit.

The PRESIDING OFFICER. The yeas and nays have been ordered on the motion to recommit.

Mr. WILLIAMS. Mr. President, it was my understanding that I would have the privilege of having 1 hour on an amendment to be designated by me. I ask unanimous consent that I may have the 1 hour on the motion to recommit rather than on the amendment which would be offered in the event the motion failed.

Mr. BIBLE. Mr. President, I certainly have no objection to that. There is no disposition on the part of the majority leader or the acting majority leader to cut off debate in any way. I have no objection to the request of the Senator from Delaware being granted. I do not think it will take that much time, certainly on this side of the aisle.

Mr. WILLIAMS. I do not think it will take an hour, but I think it would be well to debate it at length, because it is the heart of the whole issue.

Is my understanding correct that I may designate the motion instead of the amendment for the purpose of utilizing the 1 hour.

The PRESIDING OFFICER. It is the understanding of the Chair that the proposition as stated by the Senator from Delaware is correct, and that in lieu of designating 1 amendment on which there would be a limitation of 1 hour, he may designate the motion to recommit, and that he does designate this particular motion for that purpose.

With that understanding, the Senator from Delaware has control of 30 minutes, and the Senator from Nevada has control of 30 minutes.

Mr. WILLIAMS. I yield to the Senator from Nevada at this time.

Mr. BIBLE. Mr. President, this particular bill was debated at some length

several days ago. I am going to be brief. I shall yield myself 10 minutes.

The purpose of the proposed legislation is to change section 406 (b) of the Civil Aeronautics Act so as to provide in effect that in determining the subsidy elements of rates to be charged by air carriers for the transportation of mail, the Civil Aeronautics Board shall not take into account the capital gains realized by the air carriers from the sale or other disposition of depreciable property used or useful in the carrier's normal operations, provided that the net gain, after capital gains taxes realized from the sale or other disposition, is reinvested in similar property—that is, reinvested in aircraft.

Section 406 (b) of the Civil Aeronautics Act of 1938 provides in effect that in fixing the subsidy element of airmail rates, the Civil Aeronautics Board is to consider, among other things "the need of each air carrier for compensation for the transportation of mail sufficient to insure the performance of such service, and, together with all other revenue of the air carrier, to enable such aircraft under honest, economical, and efficient management, to maintain and continue the development of air transportation to the extent and of the character and quality required for the commerce of the United States, the Postal Service, and the national defense."

The Civil Aeronautics Board, in administering this provision, has construed the words "all other revenue" to include profits realized on the sale of flight equipment and other tangible capital assets, and on the basis of that interpretation, has adopted the policy of deducting from the amount of subsidy otherwise needed any capital gains realized during the period. As a result of this construction of the Civil Aeronautics Board, in so construing "all other revenue" as to deduct the amount of the net capital gains from the sale of aircraft, the subsidy has been accordingly reduced, and as a result air carriers face the prospect of having the capital gains applied as an offset to such subsidy.

Under the present ruling, that happens only during the period of an open rate case. It does not apply during the period of a closed rate case.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. BIBLE. I am happy to yield.

Mr. WILLIAMS. It applies to the closed rate cases in this instance in that in recomputing the formula as applied to the closed rate case, there is a reopening of the case.

Mr. BIBLE. That is true. Under this policy, subsidized carriers are in effect prevented from purchasing new and more efficient equipment, and are forced to utilize capital assets to pay for day-in-and-day-out operating expenses.

Since the policy declared by the Civil Aeronautics Act quite clearly calls for the operation of American-flag carriers of the finest equipment available, the Interstate and Foreign Commerce Committee does not believe that Congress, in enacting this particular section, intended that book profit from the sale of aircraft should be considered as other revenue.

Consequently, in view of the policies adopted by the Board, as well as the support of those policies by the decision of the Supreme Court in the Western Air Lines case, the intent of the law must be clarified, or subsidized air carriers will be handicapped when they attempt to buy new and modern equipment necessary to meet the need for rapid air transportation.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. BIBLE. I am happy to yield.

Mr. WILLIAMS. Is it not a fact that throughout all the years in which we have been paying airmail subsidies, formulas have been computed whereby the salvage value of the equipment is taken into consideration in the computation of the formula? Therefore, the Supreme Court decision was nothing new other than to uphold what the Civil Aeronautics Board had been doing for years, and that which Congress intended them to do.

Mr. BIBLE. I think the Western Air Lines case of the Supreme Court was a reaffirmation of the policy of the CAB. I may point out that in the hearings, as the Senator very well knows, the CAB itself had differences of opinion on this particular question, 2 members being for the bill and 2 being opposed to the bill.

New and more efficient equipment is needed to effectuate the air transportation policy of the Civil Aeronautics Administration.

I should like to point out, first, that the Senate Committee on Interstate and Foreign Commerce conducted full hearings on the bill.

Secondly, it unanimously and favorably reported the bill to the Senate.

Third, all classes of subsidized carriers—local service, international, territorial, helicopters, and domestic trunklines—have impressed upon the committee the urgency of retaining capital gains to reinvest in new equipment.

The bill contains adequate safeguards, in the opinion of the committee, to assure the use of capital gains for the intended purpose of reinvestment in new equipment, and for no other purpose. If they are not so used within a reasonable time, to be determined by the Board, such gains would be included as revenue.

The effect of the bill, in the opinion of the committee, is to give aid to various airline services. These include local airlines; 2 domestic airlines, as I recall; 3 international carriers, which are now on subsidy; 2 territorial and Alaska carriers; and I think likewise helicopters.

We are on the threshold of the jet age, and the ability of many of these carriers to purchase new equipment is definitely going to be seriously interfered with, or hamstrung, unless legislation of this kind is enacted.

The bill—and I emphasize this point—does not in any way deprive the CAB of its ultimate control over subsidy payments to air carriers.

Likewise, I think it has been very fairly and fully developed by our colloquy on this particular bill that the capital gains tax is not adversely affected. It simply affects the formula for the computation of the subsidy.

It avoids the loss of incentive on the part of carriers to reequip with the most modern and economical aircraft.

It enhances the possibilities of ultimate reduction in subsidy requirements, as indicated by the experience of the industry in lowering costs as new and more economical equipment has been introduced into service.

It assists in strengthening and improving the air transport system to meet the obligations imposed on it by the Civil Aeronautics Act, including the national defense, commerce, and postal needs of the United States.

For these reasons, among others—all of which are detailed in the report filed with the Senate by the Committee on Interstate and Foreign Commerce—it is believed that this particular bill should be enacted.

Mr. President, I see the distinguished Senator from Maine [Mr. PAYNE] on the floor at this time. I am very happy to yield 10 minutes to him.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The Senator from Maine is recognized for 10 minutes.

Mr. PAYNE. Mr. President, I prefer, if my distinguished colleague, the Senator from Nevada, is willing, not to use at this time the 10 minutes the Senator from Nevada has yielded to me, but to permit the Senator from Delaware [Mr. WILLIAMS] to proceed with whatever statement he may care to make. Later, I shall be glad to take advantage of the opportunity the Senator from Nevada has very kindly afforded me.

Mr. BIBLE. Very well; that will be quite satisfactory.

Mr. WILLIAMS. Mr. President, at this time I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 10 minutes.

Mr. WILLIAMS. First, Mr. President, I wish to point out that this bill will not in any way prevent the nonsubsidized airlines from using the capital gains tax feature of the present law in computing their tax liability in connection with the salvage value they are able to obtain from old equipment.

The bill does propose to establish an entirely new formula, the effect of which will be to increase the subsidy payments made to the presently subsidized airlines.

Under existing law, the subsidized lines are guaranteed an 8 percent return on their invested capital. If such a line loses 3 percent or 4 percent on its capital in normal operations the subsidy paid to it is increased sufficiently to enable it to obtain an 8 percent return on its invested capital.

However, under the present law, the salvage value of old equipment is included in determining the cost of operation and the amount of subsidy due the airlines. Account is taken of the salvage value of old equipment either sold or when it is traded in.

The pending bill proposes that the salvage value of old equipment shall not be used as the basis for the establishment of the amount of subsidy; and, as a result, the airlines will receive a subsidy which will be increased to that extent. The companies will continue to receive

an 8 percent return on their invested capital without taking into consideration at all the salvage value of old equipment which has been traded in. That will be an extra bonus.

It is true, Mr. President, that the airlines have to use these funds to buy new equipment. However, under the provisions of this bill, if it is enacted, they would use the \$1 million to \$5 million they would obtain as salvage value of old equipment, to buy new equipment; and then they would take \$1 million to \$5 million out of the general fund, and distribute it to their stockholders as extra bonus. As a result, they could easily increase their present subsidy rate of 8 percent to 12 percent or 15 percent. They would be able to do that at their own discretion and the Government will have to pay the bill.

Mr. President, if a farmer trades in a tractor and obtains \$500 for it, when he computes his taxes he is required to take into consideration the salvage value of the old tractor. Every businessman has to do likewise. The salvage value of old equipment is always taken into consideration in computing loss or profit of any operation. But now, for the first time, it is proposed that these subsidized airline companies be permitted to treat the salvage value of second-hand equipment as an additional bonus, over and above the subsidy which normally is paid them.

Much has been said about the desire to help build up the small companies, the so-called feeder lines but this bill is not designed that way.

Mr. President, I have asked the Department of Commerce to compute what would have happened if the bill had been enacted 5 years ago. The Department estimates that if the bill had been placed on the statute books 5 years ago, it would have cost the Government, as a result of additional subsidies to the airlines, \$21,900,790. Of that amount, Pan American Airlines would have received \$17,288,000; three other airline companies would have received approximately \$4,000,000; and all the other so-called feeder lines would have received \$300,000 or \$400,000. But approximately 95 percent of the benefits of the bill would have gone to 3 or 4 lines.

Let us not kid ourselves about this bill being designed for the benefit of the small companies.

It can be called nothing less than another unjustified giveaway program. And I will incorporate in the RECORD later a report from the Commerce Department and letters from the Budget Bureau to prove that point.

Mr. BIBLE. Mr. President, at this point will the Senator from Delaware yield?

Mr. WILLIAMS. I yield.

Mr. BIBLE. Simply for the sake of accuracy—and let me say that I am well aware of the table the Senator from Delaware placed in the RECORD at the time of our last colloquy on this matter—let me say that I believe it is also true that during the past 5 years, which is the period of time selected by the Senator from Delaware for the study to which he has referred, very little, if

Public Law 705 - 84th Congress

Chapter 591 - 2d Session

S. 1871

AN ACT

To amend certain provisions of law in order to provide for the reimbursement of the Post Office Department by Government agencies in certain additional cases for the transmission of mail matter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to reimburse the Post Office Department for the transmission of official Government-mail matter", approved August 15, 1953 (67 Stat. 614; Public Law 286, Eighty-third Congress), is amended by adding at the end thereof the following new sections:

Government mail.
Reimbursement for
transmission.
39 USC 321i and
note.

"Sec. 3. There shall be paid to the Post Office Department, as postal revenue, out of any appropriations or funds available to each department, agency, establishment, or Government corporation concerned and as a necessary expense of such appropriations and funds and of the activities concerned, the equivalent amount of postage or registry fees, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails, without prepayment of postage or without prepayment of registry fees, by or to such department, agency, establishment, or corporation, for which the Post Office Department does not otherwise receive compensation, under authority of the following provisions of law:

"(1) Section 3932 of the Revised Statutes (39 U. S. C., sec. 385) :

"(2) The proviso added by section 2 of the Act of May 1, 1928 (45 Stat. 469; 39 U. S. C., sec. 321a), to section 29 of the Act of March 3, 1879, as amended (20 Stat. 362; 23 Stat. 158; 28 Stat. 412; 29 Stat. 590) ;

"(3) Section 10 of title 13 of the United States Code;

68 Stat. 1014.

"(4) The second sentence of section 306 of the Penalty Mail Act of 1948 (62 Stat. 1049; 39 U. S. C., sec. 321n) ; and

"(5) Section 345 of the Immigration and Nationality Act (66 Stat. 266; 8 U. S. C., sec. 1456).

"Sec. 4. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made to the Department of Agriculture for such purpose, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails without prepayment of postage under authority of the following provisions of law:

Dept. of Agri-
culture.

"(1) Section 6 of the Act entitled 'An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an Act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto', approved March 2, 1887, as amended (69 Stat. 673; 7 U. S. C., sec. 361f) :

"(2) Section 3 of the Act entitled 'An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an Act of Congress approved July second, eighteen hundred and sixty-two', approved August 30, 1890 (26 Stat. 418; 7 U. S. C., sec. 325) ; and

70 Stat. 535.
70 Stat. 536.

"(3) The proviso contained in the third paragraph under the heading 'General Expenses, Office of Experiment Stations' under the caption 'Office of Experiment Stations' in the Act entitled 'An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and fifteen', approved June 30, 1914 (38 Stat. 438; 39 U. S. C., sec. 330).

"Sec. 5. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made to the Library of Congress for

Library of
Congress.

such purpose, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails without prepayment of postage under authority of section 15 of title 17 of the United States Code."

61 Stat. 652.

SEC. 2. (a) The first sentence of section 306 of the Penalty Mail Act of 1948 (62 Stat. 1049; 39 U. S. C., sec. 321n), is amended by striking out "; free of postage;" and inserting in lieu thereof "as penalty mail".

(b) The second sentence of such section 306 is amended to read as follows: "Nothing contained in this section shall be construed to prohibit (1) the transmission in the mail, as penalty mail, of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions, to public libraries, or to Federal, State, or other public authorities and (2) the transmission in the mail, as penalty mail, of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Documents, Government Printing Office, or announcements of publications of maps, atlases, and statistical and other reports offered for sale by the Federal Power Commission under authority of section 312 of the Federal Power Act (16 U. S. C., sec. 825k)."

49 Stat. 859.

Effective date. SEC. 3. The amendments made by this Act shall take effect on July 1, 1956.

Approved July 14, 1956.

